

**BI-CENTENNIAL  
HISTORY OF  
ALBANY: HISTORY  
OF THE COUNTY OF  
ALBANY, N.Y., ...**

George Rogers Howell, Jonathan  
Tenney







BI-CENTENNIAL HISTORY OF ALBANY.

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HISTORY

OF THE

COUNTY OF ALBANY,

N. Y.,

FROM 1609 TO 1886.

PART I

pps. BEGINNING — 457

WITH PORTRAITS, BIOGRAPHIES AND ILLUSTRATIONS.

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HOWELL.



TENNEY.

ASSISTED BY

LOCAL WRITERS.

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1886.

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## PREFACE.

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*THIS volume is the work of many writers. It will therefore exhibit various characteristics of style, and each writer will be responsible only for what he wrote, and the Editor-in-Chief answers only for the outward form of expression, and not for the substance of the narrative.*

*The publishers have shown no little perseverance in overcoming obstacles in the progress of the work, and have spared no pains or expense to secure a valuable history for the subscribers and the public.*

*An exhaustive history of Albany and its many thousands of citizens would need twenty volumes of the size of this to include a full history of all the men, women and events that have contributed both directly and indirectly to its history and present prosperity.*

*A judicious selection of material has, therefore, been found necessary, and even some pruning to make publication possible.*

*The issue of the work has been delayed beyond our hopes and expectations simply on account of the immense labor in accumulating facts and reducing them to a connected narrative.*

*Not only was it necessary to embody here for the present generation the history of the past, but also to present a pen picture of what Albany and Schenectady Counties are at the present time for the benefit of future generations.*

*It has been the aim of the publishers to have given also biographies of some of the representative men of all professions, and a representative exhibit of the various industries in the two counties.*

*It is the hope of all concerned in the book that a valuable contribution to the history of two of the oldest counties in the State is now offered to the public.*

*George R. Howell.  
Editor-in-chief.*

## PREFACE.

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*THE part we have performed in the preparation of this History of the County and City of Albany is indicated at the headings of the principal divisions and in the Table of Contents. The labor involved in this planning, writing and editing is far greater than we had anticipated, or than any but a careful historian can appreciate.*

*We have had valuable aid in special contributions from writers whose names are given; and many others have contributed facts and suggestions which have been gratefully received.*

*We have sought for "the truth of history" from every source in our reach, and patiently gathered what seemed best fitted to our purpose.*

*We could have made a smaller volume, but many facts and factors demanded recognition. More easily we could have made a larger one, but duty to our worthy publishers urged all possible condensation.*

*We think all will notice with approval the strictly topical presentation and discussion of our subjects. We have tried to make a book of facts, well selected and well arranged. We have sacrificed nothing to figures of speech or "words of learned length."*

*We commit this volume, with its excellencies and defects, to the friends who have encouraged us, and whom we have tried to please; and to no one with more confidence than to the honest and faithful student of history, who will most readily appreciate what is good and pardon what is faulty in it.*



*Editor.*

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## CORRIGENDA.

Inaccuracies in proof-reading, easily corrected by any intelligent reader, are not noted.

Page L.—The note at the bottom of the page, contradicting the text, inserted without the knowledge of the writer, is regarded by him as making statements not founded on the best authority.

Page 2.—Omit the two last periods in Chapter II, first paragraph, beginning with "The Hudson River;" also, the gratuitous note at the bottom of the page.

Page 14.—Last line, first column, read "2.6 feet" instead of "17 feet;" and in the note, a little less than three feet.

Page 41.—Under July, 1698, read "Hendrick Hansen" instead of "House."

Page 43.—Last line save one, in first column, "probably" should read "properly."

Page 73.—Line 11, from bottom of second column, read "Joel" instead of "Jared L." Mayer, 1838-41. Also, line 20, "Colonel Philip," of revolutionary fame, and not "Mayor Philip," had his seat at Cherry Hill. See page 201.

Page 618.—Tabernacle in place Emmanuel.

Page 675.—First line of note, read "Barnard" instead of "Brainard."

Page 679.—David P. Page was first Principal of Albany Normal School. The "Legislative Act" was passed May 7, 1844.

Page 691.—Read "Academian" in place of "Academician."

Page 697.—In line 33, second column, read 1849, and "Lodge" in place of "Lady's."

## INDEX OF NAMES

## MENTIONED IN THIS VOLUME.

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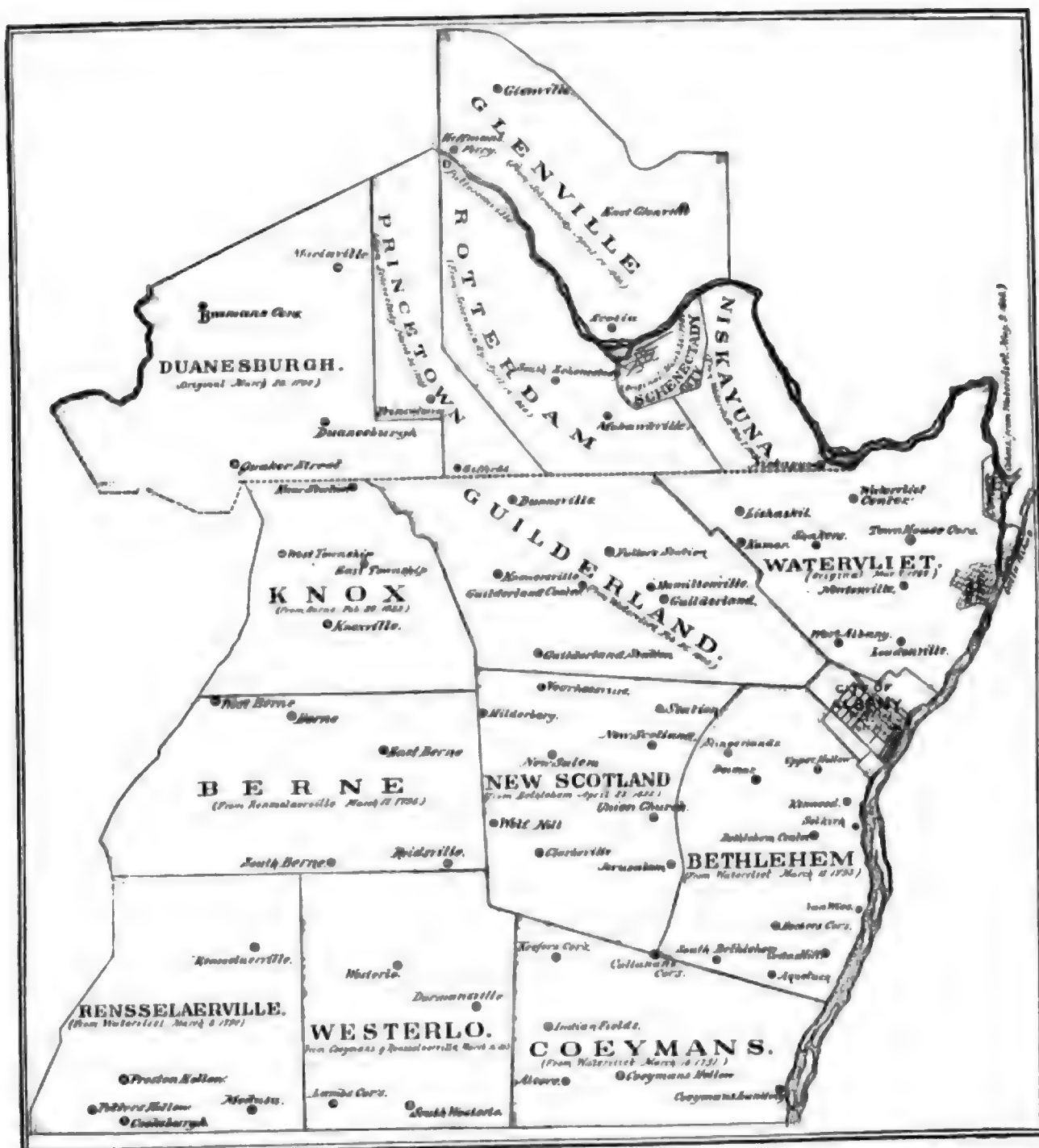
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SCHENECTADY COUNTY, N. Y.



## ALBANY COUNTY, N. Y.

# OUTLINE HISTORY OF THE STATE OF NEW YORK.

REVISED AND CORRECTED BY PROF. JONATHAN TENNEY, PH.D.

## CHAPTER I.

### DISCOVERY OF NEW YORK—THE INDIANS OF THE FIVE NATIONS.

**I**N 1524, John de Verazzano, a Florentine navigator in the service of Francis I. of France, made a voyage to the North American coast, and, as is believed from the account which he gave, entered the harbor of New York. No colonies were planted; no results followed; and the voyage was almost forgotten.

Though discoveries and settlements were made by the French north from this point, and colonies were planted by the English farther to the south, it is not known that New York was again visited by Europeans till 1609,\* when the Dutch East India Company sent Henry Hudson, an Englishman by birth, on a voyage of discovery, in a vessel called the *Half Moon*. He reached the coast of Maine, sailed thence to Cape Cod, then southwesterly to the mouth of Chesapeake Bay; then, coasting northward, he entered Delaware Bay, on the 28th of August. From thence he proceeded northward, and on the 3d of September, 1609,

\* And yet there is abundant evidence from the older French, Spanish and Italian writers of the frequent visits of French traders to that part of America lying between the northeastern part of Florida and the coast of Newfoundland, and even up the Hudson River to Cohoes Falls. This view is confirmed by the map of Visconte de Maiollo of Genoa, in 1527, where the territory above named is clearly shown by a boundary line and the arms of France, with the name of *Francesca* designating it, and capes and headlands all along the coast indicated and named: by the map of Gerard Mercator, made in Duisburg in 1569, where the Hudson River is shown to the north of the junction of the Mohawk: and by the map in the "*Cosmographie Universelle*" of André Thevet, printed in Paris in 1575, where the Hudson River is shown as in the map of Mercator above mentioned. The very name of this section of the country, *Norumbega*, is doubtless of French origin, being a corruption of "*L'anorme berge*," "the great rock ledge, or escarpment," now called the Palisades. For these facts and for an examination of the maps mentioned, I am greatly indebted to the late work of Mr. A. J. Weiss, entitled, "*Discoveries of America to 1585*." G. R. H.

anchored in New York Bay. On the 12th he entered the river that bears his name, and proceeded slowly up to a point just above the present site of the City of Hudson; thence he sent a boat's crew to explore farther up, which probably passed above Albany. September 23d he set sail down the river, and started on his return to Europe, October 4th.

In 1609 Samuel Champlain, a French navigator, sailed up the St. Lawrence, explored its tributaries, and on the 4th of July, in that year, discovered the lake which bears his name.

At the time of the discovery of New York by the whites, the southern and eastern portions were inhabited by the Mohegan Indians; while that portion west from the Hudson River was occupied by five confederate tribes, afterwards named by the English the Five Nations, by the French the Iroquois, and by themselves called *Hodеносаunee*—people of the Long House. The Long House formed by this confederacy extended east and west through the State, having, at its eastern portal, the Mohawks, and at its western the Senecas; while between them dwelt the Oneidas, Onondagas, and Cayugas; and, after 1714, a sixth nation, the Tuscaroras, southeast from Oneida Lake. Of these Indians, Parkman says that at the commencement of the seventeenth century, "in the region now forming the State of New York, a power was rising to a ferocious vitality, which, but for the presence of Europeans, would probably have subjected, absorbed, or exterminated every other Indian community east of the Mississippi and north of the Ohio."

"The Iroquois was the Indian of Indians. A thorough savage, yet a finished and developed savage, he is, perhaps, an example of the highest elevation which man can reach without emerging from his primitive condition of the hunter. A geographical position, commanding, on the one hand,

the portal of the great lakes, and, on the other, the sources of the streams flowing both to the Atlantic and the Mississippi, gave the ambitious and aggressive confederates advantages which they perfectly understood and by which they profited to the utmost. Patient and politic as they were ferocious, they were not only the conquerors of their own race, but the powerful allies and the dreaded foes of the French and English colonies; flattered and caressed by both, yet too sagacious to give themselves without reserve to either. Their organization and their history evince their intrinsic superiority. Even their traditionary lore, amid its wild puerilities, shows at times the stamp of an energy and force in striking contrast with the flimsy creations of Algonquin fancy. That the Iroquois, left under their own institutions, would ever have developed a civilization of their own, I do not believe."

These institutions were not only characteristic and curious, but almost unique. Without sharing Morgan's almost fanatical admiration for them, or echoing the praises which Parkman lavishes on them, it may be truly said that their wonderful and cohesive confederation furnished a model worthy to be copied by civilized nations; while, so long as they were uncontaminated by the vices of civilization, they possessed, with all their savagery, many noble traits of character, which would adorn any people in their public, social, or domestic relations.

They made themselves the dreaded masters of all their neighbors east of the Mississippi, and carried their victorious arms far to the north, the south and the east. Their dominance is thus eloquently pictured in Street's "Frontenac":

"The fierce Adirondacs had fled from their wrath,  
The Hurons been swept from their merciless path;  
Around, the Ottawas, like leaves, had been strewn,  
And the lake of the Eries struck silent and lone.  
The Lenape, lords once of valley and hill,  
Made women, bent low at their conqueror's will.  
By the far Mississippi the Illini shrank  
When the trail of the Tortoise was seen on the bank;  
On the hills of New England the Pequod turned pale  
When the howl of the Wolf swelled at night on the gale;  
And the Cherokee shook in his green, smiling bowers,  
When the foot of the Bear stamped his carpet of flowers."

It will hereafter be seen that the Iroquois acted an important part in the early history of the State.

Space will not permit a description of their league, or confederation, a sketch of their tribal relations, and their religious, social, and domestic customs, or a history of their warlike achievements. Nor is it necessary. Every one has heard or read the story.

## CHAPTER II.

### NEW YORK UNDER THE DUTCH—ENGLISH GOVERNORS TO 1765.

IN 1610, another vessel was sent from Holland to trade with the natives. Soon after others followed. A small fort and a few rude buildings were erected at the southern extremity of Manhattan Island, in 1612, and the place was named New Amsterdam. In 1614, the States General of Holland granted a charter to the merchants engaged in these expeditions, under the title of United New Netherlands Company, giving exclusive privileges of trade for four years. The Hudson River had been ascended by Hendrick Corstiaenssen, and in 1623 a fort and trading house were erected on the east bank of the river about fifteen leagues above Manhattan Island, called Fort Nassau. This was the first of four forts built by the Dutch on the Hudson River, all of which were erected in the same year.\*

In 1621, the Dutch West India Company was chartered, and in 1623, a small fort was built near the Hudson River, in what is now the City of Albany, called Fort Orange, and traders were sent to occupy and to carry on traffic in furs and peltry with the Indians. In 1626, Peter Minuit, as director-general of the province, arrived with other settlers, and purchased the island of Manhattan from the Indians for trinkets valued at about \$24. In 1629, the Company offered grants and privileges to patroons who should found settlements in the province of New Netherlands of fifty or more adults. Several availed themselves of this offer. In 1632, Minuit was recalled and Wouter Van Twiller appointed in his place. During his administration a controversy concerning jurisdiction was commenced between the Dutch and the English. The latter claimed the country on the ground of prior discovery by Cabot and the grant of James I. covering the territory.

In 1638, the weak and rapacious Van Twiller was succeeded in the government of the colony by William Kieft. Hostilities, long and merciless, occurred with the Indians, for which the rash and

\* The first Dutch traders on their arrival at the present site of Albany, found the remains of a fort or *chateau* on Castle Island, took measurements of it (which are recorded on an old map in the New York State Library) and called it Fort Nassau, but they at that time built no fort there. The old fort on Castle Island, which suggested the name for the island itself, was undoubtedly the relic of a previous occupation by the French as a trading port. The name of Fort Orange, a fort on the mainland at the foot of State Street, Albany, was on September 1, 1673, changed to Fort Nassau, and the name of the settlement Beverwyck to Willemstadt.

G. R. H.

cruel Kieft was deservedly censured. He was recalled, and succeeded by the sturdy and honest Peter Stuyvesant, in 1647. Controversy concerning jurisdiction and general disorders troubled his administration, till, in 1664, Charles II. of England, regardless of the claims of the Dutch, granted to his brother, the Duke of York and Albany, afterwards James II., the whole country from the Connecticut to the Delaware, including the entire Dutch possessions. A fleet was sent under Col. Richard Nicolls by the Duke, to enforce his claim, and on the 3d of September, 1664, the province was surrendered without bloodshed, and the government of New Netherlands passed into the hands of the English.

Col. Nicolls at once assumed the functions of governor; the name New Amsterdam was changed to New York, and Fort Orange to Albany; laws for the government of the province were prescribed, and courts for their administration established. In 1668, the unpopular Nicolls resigned, and was succeeded by the odious Col. Francis Lovelace. England soon became involved in a war with Holland. July 30, 1673, New York surrendered to the Dutch without resistance. Capt. Anthony Colve became Dutch governor; but on the conclusion of peace between the two powers, February 9, 1674, the province, by treaty, reverted to the English. A new patent was issued to James, confirming the first, and Sir Edmund Andros was commissioned governor. The despotic agent of a despotic ruler, he was unpopular, and became involved in difficulties with the neighboring colonies. He was recalled, and Thomas Dongan, his successor, arrived August, 1683. October 17th of the same year, the first Colonial Assembly was convened; many needed reforms were instituted, counties were erected, and better times appeared to have dawned. The most important act of this Assembly was the adoption of a charter of liberties and privileges, or bill of rights. The hopes thus raised were soon disappointed. On the accession of James II. to the English throne, in 1685, he refused confirmation of the privileges which had been granted while he was Duke of York, prohibited the Assembly, forbade the establishment of a printing press in the colony, and filled the principal offices in the province with partisan Roman Catholics. During Dongan's administration, a war broke out between the Iroquois and the French. The country of the former had been invaded by De la Barre and M. Denonville successively; and, in retaliation, the Iroquois, twelve hundred strong, fell upon the French on the south side of the island of Montreal,

"burned their houses, sacked their plantations, and put to the sword all the men, women and children without the skirts of the town. A thousand French were slain in this invasion, and twenty-six were carried into captivity and burned alive." The French yielded their claim to the territory south of Lake Ontario, and peace returned.

In 1688, New York was placed in the same jurisdiction with New England; the liberal Dongan was recalled, and Francis Nicholson temporarily succeeded him. The arbitrary and foolish King James II. abdicated in 1688, and in 1689 William and Mary ascended the English throne. Sir Edmund Andros was seized at Boston, and the popular Jacob Leisler held the fort at New York, awaiting the policy of the new sovereigns. During the two years of Leisler's control, the French and English made a descent on Schenectady, February 8, 1690, and massacred about sixty of the inhabitants. The danger by which they were threatened induced all the people, many of whom were opposed to Leisler—to submit to his authority for the time. On the arrival, in March, 1691, of Col. Sloughter, who had been commissioned governor, Leisler was unfairly tried by a special commission, and unjustly sentenced to death. The governor refused to sign his death warrant, until over-persuaded while intoxicated. Leisler was murdered by his enemies before the governor had recovered from his intoxication. Sloughter died after a weak administration of only a few months.

In August, 1692, Benjamin Fletcher arrived with a commission as governor. He was narrow, violent, avaricious and bigoted, and his administration was a continual exhibition of these qualities.

During his time, the Episcopal Church became the religion of the province, as the Dutch Reformed had previously been. In 1696, Wm. Bradford established the first printing-office in New York. Bold piracies, reaching into the very harbor of the city, crippled the commercial interests. The war with France raged, and the French and Indians under Count Frontenac invaded the country of the Iroquois, killing and taking prisoners. The Indians retaliated by hostile incursions among their enemies, but the peace of Ryswick, between France and England, in 1697, terminated these hostilities.

Gov. Fletcher was succeeded in 1698 by Richard, Earl of Bellomont. He died in 1701, leaving a name honored for integrity, capacity and sympathy with the people. In his time the citizenship and estate of the Leisler family were restored, and piracy was checked. John Nanfan succeeded him till the

arrival of the next governor, Lord Cornbury, in 1702. The administration of this governor was chiefly distinguished for religious intolerance, dishonesty and licentiousness—the worst governor under the English regime. He was succeeded, in 1708, by Lord Lovelace, who soon died. Under Lieut.-Gov. Ingoldsby, who administered the government after his death, an unsuccessful expedition against Canada was undertaken, and he was removed. June 14, 1710, Gov. Robert Hunter arrived. In 1711, another disastrous expedition against Canada was made; but in 1713, the treaty of Utrecht terminated the war between England and France. In 1719, Hunter returned to England, in failing health, and Peter Schuyler was governor, *ad interim*, till the arrival of William Burnet in 1720. On the accession of George II. the accomplished Burnet was transferred to the government of Massachusetts, succeeded, in 1728, by John Montgomerie, who died in 1731. Rip Van Dam, by virtue of seniority in the council, was his successor, till William Cosby, the next governor, began, in 1732, an administration memorable for its arbitrary proceedings and tumult, rather than for striking or important events. The libel trial of Zenger was in his term. Cosby died in 1736, and was succeeded by George Clark, senior counselor after Van Dam. Clark was commissioned lieutenant governor in the following October. During his term, the “negro plot” and the disfranchisement of the Jews were leading matters. An antagonism had been growing during some time between the democratic and the aristocratic parties in the colonies. Clark, at first, sought to conciliate both, but in the end had the confidence of neither, and his retirement, on the arrival of his successor, Admiral George Clinton, in 1743, was little regretted. The administration of Governor Clinton was characterized by a continual conflict with the people, represented in the provincial Assembly. Unable by repeated prorogations and dissolutions to coerce them into submission, he resigned after an administration of ten years, and was succeeded, in 1753, by Sir Danvers Osborne. After an administration of a few days he committed suicide by hanging, deranged, probably because of the embarrassment by which he was surrounded and domestic grief. He was succeeded by Lieut.-Gov. James De Lancey, till the arrival, in 1755, of Sir Charles Hardy, who, though nominally governor, surrendered the duties of the office into the hands of De Lancey. Gov. Hardy resigned in 1757, and De Lancey became governor. He died in 1760, and Cadwallader Colden, president of the council, took

charge of the government until October, 1761, when Gen. Robert Monckton assumed the gubernatorial functions; but on the 13th of the following month he left the administration of affairs in the hands of Colden, and went on an expedition against Martinique. Colden's administration continued till 1765.

### CHAPTER III.

#### WAR WITH FRANCE AND COMMENCEMENT OF THE REVOLUTION.

AS early as 1722, a trading post was established at Oswego by Gov. Burnet, with the view of establishing others farther west on the lakes, and securing the trade of the western Indians. To intercept this, and secure this trade for themselves, the French established a post and erected a fort at Niagara, with the design of extending a chain of military posts to the Ohio River, and thus limiting the English trade.

In March, 1744, war was declared between France and England, in which the colonies of New York and New England participated. During its continuance the country north from Albany was frequently ravaged by parties of French and Indians. Saratoga was burned, and nearly all the inhabitants either killed or made prisoners, and the village of Hoosic taken.

In 1746, an unsuccessful expedition against Canada was undertaken, for which the colony of New York furnished sixteen hundred men. Peace was concluded at Aix La Chapelle in 1748, and a period of nominal tranquillity followed, though the frontier was desolated by savage parties, encouraged by the French.

In 1755, with the view of checking their encroachments, four expeditions were sent against them, two of which were in the colony of New York. One of them, that against Niagara, under Gov. William Shirley, was unsuccessful; and the other, against Crown Point, under Sir Wm. Johnson, achieved only a partial success.

It was not till 1756 that the English ministry aroused from its imbecility and formally declared war. In the campaign of 1756, the English and colonial forces met with no success, but the two forts at Oswego were lost, with 1,600 prisoners and much war material. The campaign of 1757 was equally unsuccessful and disastrous. Fort William Henry, on Lake George, with 3,000 men, fell into the hands of the French under Montcalm.

On the accession of William Pitt to the head of

the British ministry, in 1758, new energy was infused into its measures, and a fresh impulse given to the colonies. Success soon turned in favor of the English, and, with few exceptions, continued till Canada was subdued. Louisburg surrendered in 1758; Ticonderoga, Crown Point, Niagara and Quebec fell in 1759; and Montreal, Detroit, Michilimackinac and all other Canadian posts in 1760. The French power in America was ended. A great obstacle to the prosperity of New York was removed by the conquest of Canada. There were no further hostile incursions of French and Indians into its territory. The treaty of peace was signed in 1763.

During many years the government of Great Britain had attempted to make encroachments on what the colonists regarded as their rights, but without complete success. The taxation of the people without their consent was sought to be accomplished in some insidious manner, and was steadfastly and watchfully guarded against by the colonists through their representatives in the colonial Assembly. In 1765, the notorious Stamp Act was passed, and its enforcement in the City of New York and elsewhere attempted. It was resisted by the populace; the effigy of Gov. Colden, who was charged with its execution, was hanged and burned in the streets, and a quantity of the stamped paper was seized and consumed in a bonfire.

Through the influence of London merchants, whose colonial trade suffered by reason of the act, the odious law was repealed in 1766; but its repeal was followed by a declaration by Parliament of the right "to bind the colonies in all cases whatsoever." Troops were quartered in New York City, for the purpose of enforcing the laws that Parliament might enact. Collisions occurred between these troops and the people, and the Assembly refused appropriations for their support. Parliament declared the legislative powers of the Assembly annulled until compliance with the demands of the government. In June, 1767, a bill was enacted by Parliament imposing duties on tea and certain other articles imported into the colonies. This was followed by a revival of the non-importation agreement that had previously been entered into by the colonists, and again the interests of the English merchants procured the repeal of all these duties, except that on tea.

Sir Henry Moore succeeded Gov. Colden in 1765, and his administration continued till his death, in 1769, when the government again devolved on Cadwallader Colden. Between the

soldiers and the Sons of Liberty animosities continued to exist. On the 18th of January, 1770, a collision between patriot citizens and the soldiery occurred at Golden Hill, in New York City, in which several of the citizens were wounded.

In October, 1770, Lord Dunmore superseded Colden. In 1771, he was transferred to Virginia, and succeeded in New York by William Tryon.

The non-importation agreement was continued so far as related to tea, and the East India Company suffered severely in consequence. Determined to maintain the assumed right of taxation, the British government remitted to the company the export duty on tea shipped to the colonies, and demanded 3d. per pound to be paid in America. Regardless of this appeal to their cupidity, the people made such demonstrations of resistance that the consignees in New York resigned, and when an attempt was made to land a quantity of tea clandestinely, it was thrown overboard by the vigilance committee, April 22, 1774, as it had been done in Boston on the 16th of the previous December. It is hardly necessary to say that the oppressive acts of the King and Parliament met with as firm resistance in the other colonies as in New York. The battle of Lexington, April 19, 1775, was the signal for a general rush to arms throughout all the colonies. The first Continental Congress met September 5, 1774.

In New York City the arms in the arsenals were seized and distributed among the people, and a provisional government for the city was organized. Ticonderoga was seized on the 10th of May, 1775, by Vermont and Connecticut patriots under Col. Ethan Allen, and two days later, Crown Point was taken by Seth Warner. Thus the command of Lake Champlain was secured.

The adjourned Continental Congress, with five members from New York, assembled in Philadelphia on the 10th of May. The Provincial Congress assembled in New York April 20th and May 22d.

It authorized the raising of two regiments, encouraged the making of powder and muskets, projected forts, and appointed a Committee of Safety.

In the autumn an armament was collected by Gen. Philip Schuyler, at Ticonderoga, and an expedition went against Canada, under Gen. Richard Montgomery, who fell at Quebec, December 31, 1775. The forts at Chambly, St. Johns and Montreal were taken, and Quebec was assaulted; but the colonial force was finally repulsed by overwhelming numbers, and driven out of Canada,

after much brave fighting and heroic endurance, in the summer of 1776.

#### CHAPTER IV.

##### REVOLUTIONARY EVENTS IN NEW YORK—THE STATE GOVERNMENT ESTABLISHED.

WASHINGTON, by appointment of Congress, took command of the Continental army July 3, 1775, at Cambridge, Mass. Early in 1776, Gen. Charles Lee, with a force of twelve hundred men, occupied the City of New York against Sir Henry Clinton. On the 25th June, General Howe, who had previously evacuated Boston and sailed for Halifax, appeared off Sandy Hook with his army, where he was soon afterwards joined by his brother, Admiral Howe, with a force of British regulars and Hessians, and Clinton, on his return from an unsuccessful attack on Charleston, making an aggregate force of about 30,000 men.

The Provincial Congress of New York adjourned to White Plains, where it convened on the 9th of July, and ratified the Declaration of Independence by the Continental Congress, made July 4, 1776.

On the 22d of August, a British force landed on Long Island, and on the 27th a battle was fought, resulting in the defeat of the Americans, who, on the night of the 29th, favored by a thick fog, retreated to New York. We have not space to tell the horrible story of the New York prisons and prison-ships, nor of the barbarian execution of Nathan Hale. The plan had been formed to capture New York, ascend the Hudson, effect a junction with a force from Canada under Gen. Carleton, and thus cut off communication between the patriots of New England and those of the middle and southern colonies; but the precautions of Washington and the failure of Carleton frustrated the plan.

On the 15th of September, Gen. Howe took possession of New York, and the Americans retreated to Harlem Heights. Gen. Howe sought to gain their rear, but Washington's movements frustrated his designs. On the 28th of October, was fought the battle of White Plains. Fort Washington and Fort Mifflin were taken by the British in November.

Opposed to Gen. Carleton at the north was Gen. Gates, who abandoned Crown Point and concentrated his forces at Ticonderoga. A small squadron was formed and placed on Lake Champlain under command of Arnold in August. An action took place in October between this squadron and the

fleet which Carleton had prepared at St. Johns, in which the Americans were defeated and fell back on Ticonderoga. Not deeming it prudent to attack them there, Gen. Carleton withdrew to Canada. The whole affair reflected credit on American skill and bravery in naval contest.

On the 21st of April, 1777, the first State Constitution was adopted at Kingston, and under it George Clinton was elected governor.

The principal object of the British in the campaign of 1777, was to carry out the cherished design of separating the eastern from the southern colonies by controlling the Hudson River and Lake Champlain. Gen. Burgoyne, who had superseded Gen. Carleton, was to force his way from Canada, and meet Sir Henry Clinton at Albany, while Col. St. Leger was to ascend the St. Lawrence, and, with a force of loyalists and Indians, sweep through the Mohawk valley from Oswego and Rome, and join them at the same city.

In June, Burgoyne moved on Ticonderoga, which Gen. St. Clair evacuated on July 5th. The American army retreated to Fort Edward. At Bennington, the Americans, under Gen. John Stark, achieved a splendid victory over a detachment of the enemy under Col. Baum, on the 17th of August.

Col. St. Leger invested Fort Schuyler, situated where now is the village of Rome. Gen. Gansevort was in command of the fort, called later Fort Stanwix, to whose relief Gen. Herkimer was sent. Under him was fought, August 5th, the fierce battle of Oriskany against Tories and Indians from the forces of St. Leger. The bravery of Marinus Willett and Gen. Arnold saved the fort and led St. Leger to withdraw on the 22d of August.

Gen. Philip Schuyler, in command of the northern army, continued his retreat before Burgoyne, until he reached Van Schaick's Island, at the mouth of the Mohawk, where he threw up intrenchments and awaited the approach of the enemy. Here he was superseded by Gen. Gates, who advanced his forces to Bemis Heights, in Stillwater, where were fought the desperate and decisive battles of the 19th of September and 7th of October, and Burgoyne was forced to surrender, on the 17th of October, his whole army and military equipage.

While operations were in progress in the vicinity of Saratoga Sir Henry Clinton sought to make a diversion in favor of Burgoyne. He proceeded up the Hudson, captured Forts Montgomery and Clinton, devastated the settlements along the banks of the river, burnt Kingston, and, on learning of

the surrender of Burgoyne, returned to New York.

In the campaigns of 1778 and 1779, no very important operations were carried on in New York. The Indians of the Six Nations (except some of the Oneidas and a few others) were induced by the Tories to carry on against the Americans their savage and cruel warfare, and devastation, slaughter and massacres were the result. To arrest these depredations Gen. John Sullivan, in the summer of 1779, with an army of 3,000 men, ascended the Susquehanna to Tioga Point, where he was joined by Gen. James Clinton with a thousand men. With these forces they penetrated the country of the savages, destroyed their towns, and laid waste their cornfields and orchards, all through Western New York. Though not subdued by this punishment, they were so crippled that their inroads were less frequent and destructive.

During the years 1780 and 1781, the Mohawk valley was the scene of devastation by the savages of the Six Nations, particularly the Mohawks, under their celebrated chief Brant. The oft-told tales of massacre at Wyoming, Cherry Valley, Minnisink, Cobleskill, and other peaceful homes along the Susquehanna, Mohawk, Schoharie and Delaware valleys, require no repetition. Aside from these, New York was not the scene of important hostile operations. The year 1780 was made memorable by the treason of Arnold. This brave and daring officer had, for some irregularities in Philadelphia in 1778, been court-martialed and sentenced to be reprimanded by the commander-in-chief. He apparently acquiesced in the sentence, but his pride was deeply wounded, and he thirsted for revenge. He solicited and obtained command of West Point, and entered into negotiations with Sir Henry Clinton for the delivery of that fortress into the hands of the British. In the course of these negotiations Major John Andre, of the British army, met Gen. Arnold on the banks of the Hudson. In attempting to return he was captured, about thirty miles from New York, by three militiamen, named John Paulding, David Williams and Isaac Van Wart, who refused his offered bribes, and delivered him to their commander. He was tried, condemned, and executed as a spy, October 2, 1780.

The Revolutionary War virtually closed with the surrender of Cornwallis and his army at Yorktown on the 19th of October, 1781. A treaty of peace was entered into on the 3d of September, 1783, and on the 25th of November in the same year the British troops evacuated New York. Washington laid down his command in December.

After the United States had achieved their inde-

pendence, it was early perceived that the confederation, which had been established for a particular purpose, lacked that cohesive force which was requisite for an effectual national government. Measures were accordingly instituted, first for a revision of the Articles of Confederation, but, finally, the formation of a national Constitution was determined on; and such Constitution was formed by the Convention in Philadelphia, in 1787. Hamilton, Yates and Lansing were the delegates from New York. After its adoption by the requisite number of States, it was ratified in Convention by the State of New York, on the 26th of July, 1788, by a vote of 30 to 27, and seven not voting.

The difficulties arising out of the conflicting claims of New York and New Hampshire to the territory now comprising Vermont, since 1763, which had been held in partial abeyance during the Revolutionary struggle, were finally settled by the admission of the disputed territory into the Union, in 1792, under the name of Vermont, as the fourteenth State.

By reason of indefiniteness and confusion in the original grants, Massachusetts made valid claim upon a portion of the territory of New York. This claim was settled by the cession to Massachusetts of all rights, except that of political sovereignty, over about one-fourth of the State. The largest tract of these lands, embracing what has been known as the Genesee country, was sold by Massachusetts for the sum of one million dollars.

## CHAPTER V.

### THE WAR OF 1812 BETWEEN THE UNITED STATES AND GREAT BRITAIN.

EARLY in the present century difficulties arose between this country and Great Britain concerning the rights of neutrals on the seas, and the alleged aggressions of the British became a subject of bitter animosity.

The English government claimed the right to search American vessels and impress into its service such of their crews as it chose to regard as British subjects. Claiming that the vindication of the national honor demanded it, war was declared by the United States on the 19th of June, 1812. To this measure there was a strong opposition, both in New England and New York. Party spirit ran very high. War crippled commerce and every industry, and cost money and men. To carry it on, an invasion of Canada was determined on,

and forces were collected in the vicinity of Plattsburg, on Lake Champlain, under Gen. Henry Dearborn, and at Lewiston, on the Niagara River, under Gen. Stephen Van Rensselaer. A naval force was fitted up on the lakes, and Commodore Chauncey was placed in command of it. Unsuccessful attempts were made by the British fleet on Sackett's Harbor and Ogdensburg. The British vessel *Caledonia* was captured at the foot of Lake Erie. An attack was made on the heights at Queenstown, on the Canadian side of the Niagara; and though at first the Americans were successful, they were finally compelled to retreat.

Early in the spring of 1813, a successful expedition to Canada was made from Ogdensburg. In retaliation, an attack was made on that place, some stores were taken, several vessels destroyed, and the property of citizens injured. In April, a successful expedition was sent by Gen. Dearborn against York, now Toronto. In May, the British were driven from Fort George, on the Niagara River, near Lake Ontario, and the enemy's post on that frontier was evacuated. Sackett's Harbor was attacked by the British, who were repulsed. An unsuccessful attack was also made by them on the village of Black Rock.

The brilliant victory of Commodore Oliver H. Perry, on Lake Erie, was achieved on the 10th of September, 1813. The operations on Lake Ontario were less decisive. Late in the autumn, an unsuccessful attempt was made to invade Canada under Gen. Wilkinson. The American generals Izard and Hampton were repulsed near the border of Franklin County. In December the British took Fort Niagara, and massacred a large part of the garrison, and even hospital patients. Lewiston was burned, and the villages of Youngstown, Manchester, Schlosser and the Indian village of Tuscarora were devastated by the enemy. The villages of Black Rock and Buffalo were also burned, and thus the desolation of the Niagara frontier was completed.

Early in 1814, an attempt was made by the British to capture some military stores at Oswego Falls, but without success. On the 3d of July, 1814, Fort Erie was taken by the Americans, and on the 25th a battle was fought at Lundy's Lane. In August, Fort Erie was besieged by the British, who were compelled to retire. Scott, Wool, Brown, Miller and other American commanders showed remarkable skill and bravery in these battles; but many noble lives were lost and little gained in compensation.

The plan of a dismemberment of the Union, by

possessing Lake Champlain and the Hudson River and capturing New York, was again formed. It was hoped that discontent and opposition to the war in New England, and possibly in New York, might lead to the conclusion of a separate peace with these States. The people, however, were fully aroused, and the defenses of New York were strengthened and strongly garrisoned. An invasion was undertaken from Canada, and a descent was made upon Plattsburg by an army of 11,000 men under Sir George Prevost. A severe engagement, on the 11th of September compelled him to retire with great loss. The British fleet, under Commodore Downie, was on the same day captured on Lake Champlain by Commodore McDonough. No further invasion of the New York frontier took place. On the 24th of December, 1814, a treaty of peace was concluded at Ghent. The cruel war was ended, and the Union was made stronger. Daniel D. Tompkins was the great war governor, and was left almost single-handed to protect our northern frontier, New England, excepting Vermont, being filled with discontents. No State suffered more than New York, or gained more by the return of peace.

No other serious interruption of the peaceful relations between this country and England has occurred. Some infractions of the neutrality laws have been attempted on the Canadian frontier, the chief of which took place during the Canadian rebellion, commonly known as the "Patriot war," in 1837-38.

What were known as the "anti-rent disturbances," growing out of the manorial claims, commenced as early as 1839, and were not terminated till 1846. Laws were enacted to modify the process of collecting rents and to extend the time for "re-entry" on lands where rents were in arrears, and quiet was finally restored.

The annexation of Texas to the United States led to hostilities between Mexico and this nation, and on the 11th of May, 1846, Congress declared that, by the acts of the Mexicans, war existed between the two nations. The Americans were victorious in all important engagements with the Mexican army, and the part taken by the troops from the State of New York, under Generals Worth and Wool, was conspicuous and highly creditable to their valor.

From time to time, the Legislature enacted laws concerning slavery, down to the year 1819. A law passed in 1799 provided for the gradual extinction of slavery in the State. In 1817 a further act was passed decreeing that there should be no slav-

ery in the State after the 4th of July, 1827. Ten thousand slaves were set free by this act, and the dark stain was wiped out.

The recognition of slavery in the Territories of the United States was earnestly resisted during many years, and the controversy finally resulted in a gigantic civil war. On the election of Abraham Lincoln to the Presidency, in 1860, on the platform of avowed hostility to the extension of slavery, and the failure to effect a compromise by which the institution should be recognized or tolerated in any of the Territories, the Southern States determined to secede from the Union and establish a separate government. The attack by the Confederates, as these States styled themselves, on Fort Sumter, was the first overt act of the Rebellion, and its occurrence, in April, 1861, was the commencement of active hostilities. Before the close of that year the State of New York had placed in the field one hundred and fifteen regiments.

In July, 1863, during the execution of a draft ordered by Congress, an alarming riot occurred in the City of New York. The police were unable to check its progress, and during several days the city was convulsed with lawlessness, rapine and murder. The outbreak was finally quelled by military force, but not until a large amount of property had been destroyed and many lives sacrificed. The war was prolonged till April, 1865, when it terminated with the complete success of the Union arms and dispersion of the rebel army. This State had done its part in this great struggle.

## CHAPTER VI.

### INTERNAL IMPROVEMENTS—CONSTITUTIONAL AMENDMENTS—SCHOOLS—STATISTICS.

**I**N 1791, the Legislature ordered an exploration and survey to ascertain the most eligible method of removing obstructions from the Mohawk and Hudson Rivers, with a view to improve their navigation by the construction of canals. In 1792, two companies were incorporated, styled the Northern and Western Inland Lock Navigation Companies, for the purpose of facilitating navigation by connecting Lake Ontario with the Mohawk and Lake Champlain with the Hudson by canals. Among the prime movers were Gen. Schuyler and Elkanah Watson.

In 1810, a provision was made by the Legislature "for exploring the route of an inland navigation from Hudson's River to Lake Ontario and Lake

Erie." It was at first proposed to solicit aid from the general government to carry out this work; but in 1812, a commission reported to the Legislature that sound policy demanded that this should be done by the State. War with Great Britain interrupted the project.

On the termination of the war the project was revived; and notwithstanding the formidable character of the undertaking, and the difficulties in its way, through the untiring energy and perseverance of De Witt Clinton, an act prepared by him was passed in April, 1817, authorizing the construction of the work. This—the Erie Canal—was commenced on the 4th of July in that year, and on the 26th of October, 1825, the first flotilla of boats left Buffalo for New York. Its departure was communicated to New York in one hour and twenty minutes by the discharge of cannon stationed within hearing of each other. This was then regarded as a rapid transmission of intelligence.

The first railroad in the State, between Albany and Schenectady, was chartered in 1826, and completed in 1831. Other roads through the central portion of the State were soon constructed, and railroad connection between the great lakes and Hudson River established. In 1851, these different roads were consolidated into the present immense New York Central Railroad; and, subsequently, connection was made by the Hudson River Railroad, with the City of New York. In 1833, the New York and Erie Railway was commenced, and completed in 1852. The enlargement of the Erie Canal to its present capacity was commenced in 1835 and completed in 1862. These constitute the main avenues of travel and transportation through the State, between its eastern and western extremities. Connecting routes in every direction have come into existence, and the facilities for transportation and travel in this State are not excelled by those of any other. It is hardly necessary to call attention to the telegraph lines that ramify through all parts of the State.

It has already been stated that a State Constitution was adopted in 1777. Several amendments to this Constitution were adopted in the Convention of 1821, and the new Constitution was adopted in 1822, at a popular election held for that purpose, by a large majority in a vote of 116,919.

On the 1st of June, 1846, another constitutional convention met at Albany, which continued in session more than four months. The amendments adopted by that body were ratified by the people in the following November, by a majority of more than 20,000 votes.

In June, 1867, another constitutional convention assembled. The amended Constitution framed by this convention, submitted to the people in November, 1869, resulted in its rejection, except the article making changes in the judiciary, by a majority of more than 66,000. The judiciary article was accepted by a small majority.

In 1872, a commission of thirty-two persons was appointed to propose to the Legislature amendments to the Constitution. In 1873 several important amendments were recommended, and ratified at the election in 1874. It is a notable fact that, as changes have been made in the Constitution of the State, the elective franchise has been extended.

In 1784, a law was enacted incorporating the Regents of the University of New York. They were entrusted with the higher education of the State, as imparted or to be imparted in colleges and academies. The first academies incorporated by them were Erasmus Hall of Flatbush, and Clinton Hall of Easthampton, both on Long Island, and both incorporated November 20, 1787. In their report for 1793, they called attention to the importance of instituting a Common School System. At different times, from 1787 to 1795, Gov. Clinton called the attention of the Legislature to the same subject. In the latter year, an act was passed appropriating \$50,000 annually, for five years, for the encouragement of schools. In 1805, after attention had repeatedly been called to the subject by the different governors, the Legislature passed an act laying the foundation of the present common school fund. In 1812, the common school system was adopted, comprising substantially the features of the system as it existed up to 1840. In 1854, a Department of Public Instruction was established, and Victor M. Rice made the first Superintendent. Under his administration of nine years, Normal Schools were established, County Supervision and Teachers' Institutes made more efficient, the odious rate bill was abolished, and other improvements inaugurated, which lay at the foundation of all that has since been done under our grand school system.

The State Agricultural Society, which has been productive of such great benefit, was organized at a convention in Albany in 1832. It was reorganized in 1841, and measures were adopted for raising funds and holding annual fairs.

In 1836, the Legislature ordered a scientific survey of the State for the purpose of developing a knowledge of its geology, mineralogy and natural history. The published reports of this survey

are of very great value. To Prof. James Hall is chiefly due this great work.

The following list of the Governors, Lieutenant Governors and Presidents of the Council who have administered the Government of the Colony and of the State of New York from 1629 to the present time, will be found convenient for reference :

UNDER THE DUTCH.—*Directors General*—Adriaen Joris, 1623; Cornelis Jacobsen May, 1624; Willem Verhulst, 1625; Peter Minuit, 1626; The Council, 1632; Wouter Van Twiller, 1633; William Kieft, 1638; Peter Stuyvesant, 1647.

UNDER THE ENGLISH.—*Colonial Governors, etc.*, 1664-73—Richard Nicolls, 1664; Col. Francis Lovelace, 1667.

UNDER THE DUTCH AGAIN, 1673.—Cornelis Evertse, Jr., Jacob Benckes, and Council of War, August 19; Anthony Colve, September 19, 1673.

UNDER THE ENGLISH.—*Colonial Governors, etc.*—Major Edmund Andros, 1674; Anthony Brockholles (Commander-in-Chief), 1677; Sir Edmund Andros, 1678; Anthony Brockholles, 1681; Col. Thomas Dongan, 1682; Sir Edmund Andros, August 11, 1685; Francis Nicholson (Lieutenant Governor), October 9, 1688; Jacob Leisler, 1689; Col. Henry Sloughter, March 19, 1691; Major Richard Ingoldsby, July 26, 1691; Col. Benj. Fletcher (Commander-in-Chief), 1692; Richard, Earl of Bellomont, 1688; John Nanfan (Lieutenant Governor), 1699; Earl of Bellomont, 1700; William Smith (eldest Councillor), 1701; John Nanfan (Lieutenant Governor), 1701; Lord Cornbury, 1702; John, Lord Lovelace, 1708; Peter Schuyler (President), May 6, Richard Ingoldsby (Lieutenant Governor), May 9, and Peter Schuyler, May 25, and Richard Ingoldsby (Lieutenant Governor), June 1, 1709; Gerardus Beeckman, April 10; Brigadier Robert Hunter, June 14, 1710; Peter Schuyler (President), 1719; William Burnet, 1720; John Montgomerie, 1728; Rip Van Dam (President), 1731; Col. Wm. Cosby, 1732; Geo. Clarke (President), 1736; Admiral Geo. Clinton, 1743; Sir Danvers Osborne, October 10, and James De Lancey (Lieutenant Governor), October 12, 1753; Sir Charles Hardy, 1755; James De Lancey (Lieutenant Governor), 1757; Cadwallader Colden (President), 1760; Major-General Robert Monckton, October 26, and Cadwallader Colden (Lieutenant Governor), November 18, 1761; Major General Robert Monckton, 1762; Cadwallader Colden, 1763; Sir Henry Moore, 1765; Cadwallader Colden, 1769; John, Earl of Dunmore, 1770; William Tryon, 1771; Cadwallader Colden (Lieutenant Governor), 1774;

William Tryon, 1775; James Robertson, 1780; Andrew Elliot (Lieutenant Governor), 1783.

*Governors of the State:* George Clinton, 1777; John Jay, 1795; George Clinton, 1801; Morgan Lewis, 1804; Daniel D. Tompkins, 1807; De Witt Clinton, 1817; Joseph C. Yates, 1822; De Witt Clinton, 1824; Martin Van Buren, 1828; Enos T. Throop, 1830; William L. Marcy, 1832; William H. Seward, 1838; William C. Bouck, 1842; Silas Wright, 1844; John Young, 1846; Hamilton Fish, 1848; Washington Hunt, 1850; Horatio Seymour, 1852; Myron H. Clark, 1854; John A. King, 1856; Edwin D. Morgan, 1858; Horatio Seymour, 1862; Reuben E. Fenton, 1864; John T. Hoffman, 1868; John A. Dix,

1872; Samuel J. Tilden, 1874; Lucius Robinson, 1876; Alonzo B. Cornell, 1880; Grover Cleveland, 1883; David B. Hill, 1885.

The population of the colony and State of New York was, in 1698, 18,067; 1703, 20,665; 1723, 40,564; 1731, 50,824; 1737, 60,437; 1746, 61,589; 1749, 73,348; 1756, 96,790; 1771, 163,337; 1790, 340,120; 1800, 586,756; 1810, 959,049; 1820, 1,372,812; 1830, 1,918,608; 1840, 2,428,921; 1850, 3,097,394; 1860, 3,880,735; 1870, 4,382,759; 1880, 5,084,173.

Of the total population there were in 1790, 21,324 slaves; in 1800, 33,343; 1810, 15,017; 1820, 10,088; 1830, 75; 1840, 4.



# HISTORY

OF THE

## COUNTY OF ALBANY.

WRITTEN AND EDITED BY  
PROF. JONATHAN TENNEY, PH.D.

### TOPOGRAPHY.

THE County of Albany, one of the original ten counties of the present State of New York, bears the name of the Scotch title of the Duke of York and Albany, afterwards King James II. of England. It was incorporated under Gov. Thomas Dongan, November 1, 1683, and confirmed October 1, 1691. It is situated on the west bank of the Hudson River, about 165 miles from its sources in the Adirondacks, and 168 miles from its mouth at the Atlantic Ocean, reckoning from the Mohawk. It lies at the head of tide water, and of sloop and steamboat navigation. Its latitude is between  $42^{\circ} 23'$  and  $42^{\circ} 49' N.$  Its longitude is between  $2^{\circ} 40'$  and  $3^{\circ} 15' E.$  from Washington, and  $15'$  and  $20' W.$  from New York City. Its extent, east and west, is about 25 miles; north and south, 22 miles. It has an area of about 544 square miles, or 348,160 acres. Its northern and southern boundaries are nearly parallel, and its western boundary, throughout its whole extent, is understood to run equidistant from the course of the Hudson River in all its windings.

### LAND SURFACE.

The land surface of the county is strikingly diversified. Alluvial flats, varying from about a quarter of a mile to one mile in breadth, lie along the Hudson, from which hills arise, by slopes now gentle, now abrupt, to an elevation of from 100 to 200 feet. From these extend undulating plains, varied by fields of sand and clay, small marshes and ravines made by the waterways, until the foot of the Helderbergs is reached on the west, making a total rise of from 400 to 800 feet above the tides. Then come these Helderberg hills, rising from 300 to 1,000 feet higher, and often forming a precipitous wall of 100 feet or more. There are no isolated peaks to these hills. Beyond, sloping gradually toward the west and south, are irregular and rocky plateaus in the towns of Berne and Rensselaerville.

Along the Mohawk the land is broken and rugged. Rocky ridges, deep gullies and hills and plains of clay and sand, are abundant throughout the county.

The highest elevation in the county is at the place called the "Helderberg Station" of the United States Coast Survey, a location which ought to have a more distinctive name. Its summit is 1,823 feet above sea level. It lies in the town of New Scotland. The Helderberg Hills are a leading feature of the county, whether we consider their prominence, their geological structure, or their relation to soil and climate. Their "romantic wooded rock scenery, dark caverns, sprayey waterfalls, varied landscape and accessible mountain grandeur render them of interest to the artist, author, student, poet, tourist and rusticator," says Colvin.

### GEOGRAPHY.

**HILLS.**—The name Helderberg signifies Clear Mountain. Its hills and ranges connect with the Catskills, of which they are outlying spurs. They are a continuation of the Allegany Mountains, running northerly across our county, and a part of the great Appalachian system to which belong the Adirondacks, the Green Mountains and the White Hills. No description of these hills so graphic as that written by Verplanck Colvin, of Albany, and published in Harper's "Monthly Magazine," for October, 1869, has yet been seen or read. He tells you of their dark, gray cliffs, their fearful overhanging precipices, their rock-filled gorges, their gloomy recesses untrodden by man, their dripping rocks, their domes and dark intricate caverns, their waterfalls that drop into caves, and, after subterranean flow, appear again as tributaries to larger streams; of their sequestered dens, once the resort of savage beasts and more savage Indians and Tories; of the Indian trail and Indian ladder; of shell-covered cliffs and limestone rocks charged with fossils that tell us

that once they formed beds of the old ocean. Ascending the summits, he shows you the sutured plateaus and the splendid scene in the widespread panorama of field and forest and distant hills around you.

The learned Sir Charles Lyell, of England, visited this region and viewed its varied wonders with amazement, and spoke of them as a new world, forgotten by men of science, abounding in striking peculiarities worthy of close study. Dr. Markle remembers his remark that the "Helderbergs are a key to the geology of North America."

Recently they are much visited, and are becoming a favorite summer resort to the weary student and the tired and stifled denizens of the city, as well as to the appreciative lover of nature. Better facilities for access to them, and pleasant homes upon their slopes and summits, are now provided.

There are other hills in the county that "have a local habitation and a name," as Cedar Hill, in Bethlehem; Mossy and Gedney Hills, in Coeymans; Grippy and Irish Hills, in Berne; Sittles Hill, in Knox; Bennett's, Mount Pleasant and Copeland's Hills, in New Scotland—all spurs or elevations of the Helderbergs.

**ISLANDS.**—In the acts establishing the river boundary of Albany County all islands in the Hudson that are nearest the western shore are included in our county of Albany. There are several of these, some of which are of considerable importance. Of these Van Rensselaer's or Westerlo Island is the largest, containing about 160 acres of fertile land, adapted to garden culture, producing fine crops in favorable seasons. The northern part is occupied by extensive iron works. Its lower grounds are subject to the heavy floods. In May, 1833, it was occupied by eleven farms, which were overflowed, causing a damage of \$6,000 to the crops. It is recorded, in October, 1850, that it had been flooded eight times that year. Historically, this is our oldest island. To say nothing of the traditionary occupation by Spanish or French adventurers, at an earlier date, which, if true, is of little importance, as they left no name and no trace in our history, we are certain that Hendrick Corstiaensen, in 1614, with his companions, occupied the island, under the patronage of the United New Netherlands Company, for the purpose of trading in furs, and remained until the spring floods destroyed their works. Then they removed further down on elevated grounds, near the mouth of the Normanskill. It is said that they erected a stockade as a defense against the Indians, with whom they

carried on a profitable trade. This fortification was about 50 feet square, surrounded by a moat 18 feet wide, defended by 11 stone guns and 2 cannon, and garrisoned by 12 men under Jacob Jacobsen Elkins, who succeeded Corstiaensen. The name of Kasteel or Castle Island was taken. It is called by this name by many early writers, and in the later reports and papers of Gov. Stuyvesant. In 1639, it was visited by De Vries, who found it occupied by Brandt Pylen, or Peelan, under lease from the patroon and his co-partners, Godyn, Bloemart, and De Laet. It was well stocked and successfully farmed. Indians were fishing around its shores. The island has been spoken of at various times as Welysburg, Van Der Donk's, Martin Gerritsen's, Sweaton's and Boyd's Island, probably from its leading occupants. It belongs to the town of Bethlehem. On the Coast Survey maps it is written as Westerlo Island—a preferable name, as the name of Van Rensselaer was, long ago, given to the island opposite Albany and belonging to Rensselaer County, upon which are situated the Boston and Albany Railroad shops.

Near the junction of the Mohawk and Hudson are Haver Island, on which, as tradition tells us, was Moenemines Castle, once an important Mohawk village; Van Schaick's Island, on which Gen. Schuyler, in 1777, retreating from Burgoyne's advancing march, stationed his army behind intrenchments, hoping to stay the progress of the British army towards Albany at that point; and Whale Island, now covered with sand and water, and interesting only as the stranding place of that "monster of the deep," which wandered up the river in 1646, hoping, no doubt, to find a passage to Greenland this way, but instead meeting his death, losing his blubber, greasing the river, and creating a great stench for miles around, by his atmospheric cremation.

Green Island, directly opposite Troy, is a village, incorporated October 14, 1853, and May 12, 1869. It is the seat of extensive manufactures, producing railroad cars, stoves, sash and blinds, etc. It also has the repair shops of the Rens. and Sar. Railroad, foundry and machine shops, malleable iron works and many mechanic shops. It is connected with Troy by a bridge 1680 feet long, and by street cars with Cohoes, Troy, W. Troy and Albany. It has five or six churches, railroad stations of the New York Central and Rens. and Sar. Railroads, and village schools. It was once called Tibbett's Island.

Pleasure Island, a short distance above Albany, is a summer resort, having a race-ground and

other attractions for sporting men and pleasure-seekers.

Beeren Island (Beeren Eylandt), or Bear's Island, in the Hudson, about 11 miles below Albany, belongs to the town of Coeymans, and lies near the shore, a little southeast of the village. Its area is about two acres, its northern aspect being an abrupt rocky promontory, from which it gradually slopes to its southern terminus. Its soil was never adapted to agriculture; trees and a thin growth of grass cover it in patches; it has been a good place for fishing. Claimed by the patroon, it was chosen early as a fine place for fortifications to keep off intruders upon his lands, his timber, his trade and his home. Accordingly, in 1643, a fort, named Rensselaer Stein, was erected, defended by mounted cannon and a garrison, and placed in charge of Nicholas Coorn as wachtmeister. Each skipper, on passing the island, was to lower his flag in acknowledgment of the rights of the patroon and pay a tribute of five stivers. This caused bitter but bloodless contention for a time between the officers of the patroon and of the West India Company. This company denied the exclusive claim to the navigation of the river made by Van Rensselaer. The fort and the controversy ceased when the English came in possession in 1664. Dim history tells us of its occupancy, at one time, by a few Indian hunters; at another, by the Coeymans family as a defense against the Indians; at another, as a quarantine station for vessels coming up from New York City; at another, by hunters digging for the hidden treasure of Capt. Kidd. For a generation past it has been a favorite resort for Sabbath-school and other picnic excursions. For this purpose it is well adapted by location, neatness and fine accommodations.

Other islands in the Hudson, belonging to Albany County, that have a name, beginning southerly and coming up the river, are Shad and Schermerhorn—the latter called sometimes Neifer—Wooden and Poplar, opposite Coeymans; Sill's or Van Woert, Bear, Beacon or Bisby, Cabbage or Jolly, Marsh and Bogart's, opposite Bethlehem; Lower Patroon, Patroon, Cuyler, Hillhouse or Glen, and Breaker, opposite Watervliet. On the Mohawk, above the Cohoes Falls, are Fonda and Cobble islands.

PONDS.—The ponds or lakes of the county are few and small. In Rensselaerville are two small ponds, dignified by the name of Big and Little Lake; Werner's Lake in Berne; Thompson's in Berne and Knox; Lawson's in New Scotland, and Coeymans. Tivoli Lake is one of the sources of

the water supply of Albany, lying in what is now Watervliet, at the north of the city. Deer Pond also is in Watervliet.

The lakes Werner and Thompson, on the hills, are becoming places of delightful resort in summer, for which ample accommodations are made.

RIVERS.—The notable rivers that water the county are the Hudson, the Mohawk, the Catskill, the Schoharie and the Normanskill. To these all other streams are tributary. Indeed, all the others and their supplies find their way to the Atlantic through the Hudson.

The streams in the county take the arbitrary designation of river, creek, kill or brook. The direct tributaries of the Hudson are Catskill, Coeymans, Haana-Krois, Vlamans, Normans, Beaver, Rutten, Foxen, Patroon, Ralger, Cemetery, Dry and Mohawk. Those of the Mohawk are the Schoharie, Lisha's, Town and Donkers. Of the Catskill, Eight-Mile, Ten-Mile, Scrub, Fox and Wilbur. Of the Schoharie, Beaver Dam, Foxen and Switz. Of Normanskill, Vly or Fly, Bozen or Boza, Honger, Wildhause and Krum. Other sub-tributaries are the Swart or Black, Oneskethau, Basic, Hockatock, Mill, Elder, Spruyts, Provost, Steinhook, Pitchaway, Wolf, Fly, Bethlehem or Mud, and several smaller brooks. The Beaver or Buttermilk, Rutten and Foxen Kills, in Albany, are used now mostly for sewer drainage.

Most of the streams which run into the Hudson have worn deep gullies in the sand and clay. Some of these are a hundred feet in depth and extend nearly to the river flats. In the western part of the county the streams generally flow through narrow ravines bordered by steep banks. Most of the streams are very rapid and subject to extremes, rising rapidly during a powerful rain and as rapidly falling. The spring melting of the winter snows fills the channels; the summer drought reduces them to very low water. There are a few natural falls upon several of these kills or creeks, and facilities for increasing greatly their hydraulic power. Vly Kill has a remarkable cascade of 60 feet, and another of 40 feet is in the Oneskethau. But, except at the mouth of the Normanskill and at Cohoes, on the Mohawk, little is done with the water power, except the erection of a few grain and saw mills for local accommodation. With enterprise and money they might become agents in adding vastly to the productive industry of the county. As contributing to an abundant water supply for man and beast, irrigation to

the lands and diversity to our scenery, they cannot be too highly valued.

**HUDSON RIVER.**—In many respects the Hudson is one of the most important and interesting rivers in the world. It was first made known to the civilized world by Henry Hudson, in 1609, he having entered it and proceeded by ship and boat, probably nearly to the mouth of the Mohawk, and spent most of the month of September, in that year, upon its waters. From its sources in Essex and Hamilton counties, among our northern mountains, to its mouth at Sandy Hook, its length is about 325 miles. Its head branches are the small streams of Adirondack, Boreas, Indian, Schroom, and the larger Sacandaga. Its eastern tributaries, besides many smaller streams, are the Battenkill, Hoosac, Kinderhook, Claverack, Roeliff Jansen, Wappinger, Fishkill and Croton; its western, the Mohawk, Normanskill, Catskill, Esopus, Rondout and Murderer's, and numerous other little creeks and brooks. While these streams increase the volume of the majestic river, the alluvion which they carry down forms obstructions to navigation in the shape of bars and flats of sand and deposits of mud, especially for some thirty miles below the sprouts of the Mohawk. The most remarkable of these are the Overslaugh and Winne's bar, in this county, opposite Bethlehem. Many devices, much labor, and heavy expense have been employed for their removal, with only temporary success. As long as water runs the difficulty will remain, although money and toil lessen it. The destruction of the northern forests, unless speedily arrested, must sensibly lessen the water supply of this noble stream, impairing its navigation and damaging every interest in every city and town upon its borders.

Among the names known to have been given this river are Cohatatea, by the Iroquois; Mahaganeghtuc and Shatemuc, by the Mohegans; Great River, by Hudson and his crew; River of the Mountain; North River, to distinguish it from the Delaware, called South River by the early Dutch; also, Mauritius or Maurice, in honor of Prince Maurice of Netherlands; Manhattes; and Hudson, given very appropriately by the early English, and readily adopted by all people.

Baker's and Glen's Falls, in the upper part, are the only rapids of note. The course of the stream is southerly, with only slight curves, and its surface is generally smooth. The elevation above the sea at Albany is only 17½ feet.\* The tidal influence is

noticed at Albany, although the tide proper can hardly be said to flow so far. The mean tide here is 2.46 above that at Governor's Island. The river, in fact, is an estuary or long arm of the sea, as far up as the Mohawk. The narrows at the Highlands, 53 miles from New York City, making a pass of about 16 miles, present scenery picturesque, grand and exciting. A steamboat ride the whole length of its navigable channel presents a continuous scene of surpassing beauty and sublimity. It is the classic river of our young country, consecrated by the fascinating pages of Irving, Paulding, Cooper, and Lossing, the fine touches of the Harts, Cole and other artists, and the verse of many a local poet. Its waters and its banks are associated with some of the most interesting events of our history, connected with our early discoveries and settlements, the arts of peace and the arts of war. Eminent scholars, writers, philanthropists and patriots have dwelt near its shores, now consecrated by their monuments and the memories of their deeds.

Chancellor Robert R. Livingston, in 1797, assisted by Nisbet, an Englishman, experimented in building a steamboat to navigate the Hudson. He was ridiculed as a visionary humbug when he applied, in 1798, for Legislative aid, but failed in his object when he could not navigate his boat of 30 tons, four miles per hour. It was upon the Hudson that Robert Fulton, encouraged by Livingston, though ridiculed by many, first placed his steamer, the *Clermont*. September 4, 1807, at 7 A. M., he left New York for Albany, which he reached the next day at about 11 P. M. This was the beginning of steamboat navigation on the Hudson.

On the banks of the Hudson dwelt Henry and Morse, inventors of the telegraph. Here is Newburgh, once the headquarters of Washington; and here West Point, pregnant with thrilling historic events, where repose the dust of Kosciuszko, Winfield Scott, and many others of our nation's patriots. Here is the school-house of our army officers. At every step along its shores, the traveler—be he scholar, student of history, artist, poet, lover of his country, lover of arts, or lover of nature—finds something to instruct, delight and inspire.

Pleasant villages and flourishing cities charm the traveler sailing down the stream to New York, which owes much of its marvelous commercial prosperity to the river which, for many years, was almost its only channel for bringing into its marts the rich products of the North and the West through the Champlain and Erie Canals. And it may as truly be said of Albany and Troy, that they

\* The fall of the river from Albany to New York is a little over three feet.  
G. R. H.

are the gift of the Hudson, as it was said by them of old, that Egypt was the gift of the Nile. Of the commercial and economical relations of Albany county to this river the reader will see in other parts of this history.

Maude, traveling here in 1800, writes: "The Hudson is one of the finest rivers in America, and superior to them all in romantic and sublime scenery."

Says Charles Mackay, in 1858: "I found abundant reason to agree with the most enthusiastic of Americans that no river in Europe, unless it be the Clyde, surpasses the Hudson in natural beauty, and that the Rhine itself, deprived of its ruined castles, could not stand a comparison with this splendid stream."

The opening and closing of the navigation of the Hudson River at Albany each year, so far as the dates can be found, is here tabulated from the best authorities.

<i>Closed.</i>	<i>Opened.</i>
1645..... Nov. 24.....	—
1786..... — .....	Mar. 23.
1787..... — .....	—
1788..... — .....	—
1789..... — .....	—
1790..... Feb. 3, Dec. 8.....	Mar. 27.
1791..... Dec. 8.....	Mar. 17.
1792..... Dec. 13.....	Mar. 6.
1793..... Dec. 26.....	Mar. 17.
1794..... Jan. 12.....	—
1795..... Jan. 22.....	—
1796..... Nov. 28.....	—
1797..... Nov. 26.....	—
1798..... Nov. 23.....	—
1799..... — .....	—
1800..... Jan. 6.....	—
1801..... Jan. 3.....	Feb. 28.
1802..... Feb. 3, Dec. 16.....	—
1803..... — .....	—
1804..... Jan. 12, Dec. 13.....	Apr. 6.
1805..... — .....	—
1806..... Jan. 9.....	Feb. 20.
1807..... Dec. 11.....	Apr. 8.
1808..... Jan. 4.....	Mar. 10.
1809..... Dec. 9.....	—
1810..... Jan. 19, Dec. 14.....	—
1811..... Dec. 20.....	—
1812..... Dec. 21.....	—
1813..... Dec. 22.....	Mar. 12.
1814..... Dec. 10.....	—
1815..... Dec. 2.....	—
1816..... Dec. 16.....	—
1817..... Dec. 7.....	Apr. 3.
1818..... Dec. 14.....	Mar. 25.
1819..... Dec. 13.....	Apr. 3.
1820..... Nov. 13.....	Mar. 25.
1821..... Dec. 13.....	Mar. 15.
1822..... Dec. 24.....	Mar. 15.

<i>Closed.</i>	<i>Opened.</i>
1823..... Dec. 16.....	Mar. 24.
1824..... Jan. 5.....	Mar. 3.
1825..... Dec. 13.....	Mar. 6.
1826..... Dec. 13.....	Feb. 25.
1827..... Nov. 25.....	Mar. 20.
1828..... Dec. 23.....	Feb. 8.
1829..... Jan. 14.....	Apr. 1.
1830..... Dec. 25.....	Mar. 15.
1831..... Dec. 6.....	Mar. 15.
1832..... Dec. 21.....	Mar. 25.
1833..... Dec. 13.....	Mar. 21.
1834..... Dec. 15.....	Feb. 25.
1835..... Nov. 30.....	Mar. 25.
1836..... Dec. 7.....	Apr. 4.
1837..... Dec. 14.....	Mar. 27.
1838..... Nov. 25.....	Mar. 19.
1839..... Nov. 18.....	Mar. 25.
1840..... Nov. 5.....	Feb. 25.
1841..... Nov. 19.....	Mar. 24.
1842..... Nov. 28.....	Feb. 4.
1843..... Dec. 10.....	Apr. 13.
1844..... Dec. 17.....	Mar. 18.
1845..... Dec. 3.....	Feb. 24.
1846..... Dec. 14.....	Mar. 18.
1847..... Dec. 25.....	Apr. 7.
1848..... Dec. 27.....	Mar. 22.
1849..... Dec. 26.....	Mar. 19.
1850..... Dec. 17.....	Mar. 10.
1851..... Dec. 14.....	Feb. 25.
1852..... Dec. 23.....	Mar. 28.
1853..... Dec. 21.....	Mar. 23.
1854..... Dec. 8.....	Mar. 17.
1855..... Dec. 20.....	Mar. 27.
1856..... Dec. 14.....	Apr. 11.
1857..... Dec. 27.....	Feb. 27.
1858..... Dec. 17.....	Mar. 20.
1859..... Dec. 10.....	Mar. 13.
1860..... Dec. 14.....	Mar. 6.
1861..... Dec. 23.....	Mar. 5.
1862..... Dec. 19.....	Apr. 4.
1863..... Dec. 11.....	Apr. 3.
1864..... Dec. 12.....	Mar. 11.
1865..... Dec. 16.....	Mar. 22.
1866..... Dec. 15.....	Mar. 20.
1867..... Dec. 8.....	Mar. 26.
1868..... Dec. 5.....	Mar. 24.
1869..... Dec. 9.....	Apr. 5.
1870..... Dec. 17.....	Mar. 31.
1871..... Nov. 29.....	Mar. 12.
1872..... Dec. 9.....	Apr. 7.
1873..... Nov. 22.....	Apr. 16.
1874..... Dec. 13.....	Mar. 19.
1875..... Nov. 29.....	Apr. 13.
1876..... Dec. 2.....	Apr. 1.
1877..... Dec. 31.....	Mar. 30.
1878..... Dec. 20.....	Mar. 14.
1879..... Dec. 20.....	Apr. 4.
1880..... Nov. 25.....	Mar. 5.
1881..... Jan. 2.....	Mar. 21.
1882..... Dec. 4.....	Mar. 8.
1883..... Dec. 15.....	Mar. 29.
1884..... — .....	Mar. 27.
1885..... — .....	—

## GEOLOGY.

The geology of the county is included in the "Helderberg Division," belonging to the upper Silurian system, and comprising nearly all the rocks of the "New York system," from the Utica slate to the corniferous limestone. It embraces rocks varied in mineralogical character, chemical composition, and abounding in fossil remains. It contains subordinate beds of clay and silicious grits. In consequence of these rocks being so well developed in the Helderberg hills, forming a natural group, the term of "Helderberg Division" is used to designate them.

The limestone in which the fossils occur is usually a gray, but in some places a reddish crystalline stone. The fossils are a crystalline carbonate of lime, and are so numerous that they attract the attention of the observer when traveling along the road.

The Delthyn's shaly limestone is one of the thickest and most extensive members of the Helderberg Division. This rock is well developed and is frequently quarried as a building stone. The stone fences and roadsides often exhibit the remains of ancient life. This is well exposed on the road from New Salem to Clarksville. The *middle subdivision* is a slaty limestone, and contains fossils of many varieties washed clean by the rains and ready for the collector. These again are numerous in the vicinity of Clarksville and near New Salem.

The *lower subdivision* is a mass of slaty-argillo-silicious limestone, and may be seen one mile north and northwest of Clarksville.

The Onondaga limestone and Schoharie grit are, also, found about Clarksville, and contain many fossils. The argillaceous and shaly rocks are numerous on the summits of hills.

The lowest rock is the Utica slate cropping out on the Hudson, Normans Kill and Mohawk. Above this are the graywackes and shales of the Hudson River group, which appear in the valleys of many streams, and apparently underlie a part of the county.

The rocks of the *Erie* division occupy in the aggregate a thickness of several hundred, probably two thousand feet. The division that is worked for economical purposes is a strata of flagging stone which is from seven hundred to one thousand feet above the Helderberg limestone series.

This stone is extensively quarried for flagging and building purposes in the southeast part of Berne and in Coeymans. The red rocks which form the base of the Helderbergs, probably be-

long to the Medina sandstone series, sometimes confounded with the red shales of the Onondaga salt group. Next in order above this, and forming the first terrace of the mountains, is the water line group, from 50 to 200 feet thick, and furnishing both water and quicklime. Next in order is the *pentamerus* limestone, 50 feet in thickness, of impure gray and black limestone, mixed with slate and shale, well developed in Berne and Bethlehem. Overlying this is the *Catskill limestone*, from 50 to 180 feet in thickness, consisting of thick compact masses of limestone, alternating with thin layers of shale. This, also, is used for building purposes and lime.

The *Oriskany sandstone* next appears in a stratum two feet thick, well exposed in Berne, Knox and Bethlehem, followed by the *cauda-galli* grit, from 50 to 60 feet thick. This last has a fine grit and resembles black or gray slates, but crumbles upon exposure to the air. The *Onondaga* and coniferous limestones next appear, the latter forming the summits of mountains. These rocks furnish excellent building material, and a superior quality of lime. Above the rocks, in the east part of the county, are deposits of drift, consisting of sand, gravel and clay. The high lands west of the City of Albany are covered to the depth of forty feet with sand, which rest upon a bed of clay estimated to be one hundred feet deep. These clay beds extend into several of the adjoining townships. In this drift are sometimes found beds of bog ore, chalybeate and sulphureted springs. In the limestone regions are caves, sink-holes and subterranean water-courses.

Clay forms the subsoil, or exists at a great depth below the gravel and sand beds which form the plains and elevations.

There are two kinds, the blue and the gray. They are almost uniform by association, the blue lying below the gray. These clays may be used to improve the soil, for the manufacture and glazing of stone ware, and for brick and tile, of which many millions are made at Albany.

The geological formations of Albany County are given by J. G. Gebhard as follows:

Hamilton, Marcellus, Corniferous, Onondaga, Schoharie grit, Cauda-galli grit, Oriskany sandstone, Upper Pentamerus, Delthyn's shale, Pentamerus Galeatus, Tentaculite, Water limestone, Coralline, Pyritous slate, Hudson River sandstone.

The following, abridged from the pen of Henry R. Schoolcraft, a native of this county, in regard to its geology, is worthy a place here.

The most prominent feature of the county is the

range of the Helderbergs, an offshoot of the Catskill Mountains. This highest range divides the county into two general levels of unequal width, characterized as being *above* or *below* that elevation. The lower level is distinguished for its diluvial and drift deposits of arable layers, clays, sands, analogic pebbles and boulders. The rock strata, as generally denoted by geologists, and more particularly described by Prof. James Hall, are, beginning at the apex of the Helderberg, chertz limestone, neutral colored sandstones, fossiliferous limestone, graywacke, sedimentary, horizontal slate, or graywacke slate and argillite.

The City of Albany rests upon the edges and top of the terraceous blue clays, and their associated sand strata. This terraceous clay is covered with a mantle or plateau of diluvial sand, which extends northwestwardly from the Hudson to the Valley of the Mohawk.

This mantle of sand rests, throughout its entire extent, upon the terraceous blue capitoline clay. Rains and atmospheric moisture speedily sink through it, until arrested by its impervious aluminous basis, by which it finds an outlet on the surface of these clay beds into the nearest streams.

It is by the union of several of the outlets of these spring gorges of the pine plains, that the Honger Kill is formed. Small in its volume, it flows with sufficient force to sink its channel through the deep clay stratum, and enter its recipient, the Normans Kill, through the boulder and pebble drift. Feeble as the action of the stream is, it has been sufficient to reveal a formation of red sandstone, which, apparently, underlies the *under* Helderberg series of graywacke and slates, and the *upper* series of fossiliferous limestone, and its superimposed porous and marly horizontal new sandstones.

This disclosure was made in a depressed part of the Honger Kill Valley. The rock, in colors and grain, resembles the Piedmont or Haverstraw sandstones of the lower Hudson. The localities of these observations are at the now decayed manufacturing village of Hamilton, within about a mile from the entrance of the stream into the Normans Kill. The deepest cutting into the geological column of the county is made by this Tawasentha. This stream in its western fork, the Bozen Kill, originates on the Helderberg range. In passing through the series of newer sandstones, limestones and graywackes, it lays bare the succession of rocks, and hurries with a rapid channel to its junction with the Black Creek and the Tiergaca, or northeast branch. Reinforced by these tributaries,

it sweeps its way through the alluvial coverings to the Hudson. In its progress it sinks its level quite through the graywackes and deeply into the Tawasentha slate. At the rapids, in passing through Guilderland, this rock stands in perpendicular facades, from 80 to nearly 120 feet high. The stream finally enters the Hudson, two miles south of the City of Albany, near the ancient Iroquois cemetery of Tawasentha.

The cuttings of the Normans Kill and the construction of railroads reveal the Hamilton group at these points.

SOIL.—The soil of any territory in its primitive state, before the hand of cultivation has transformed it, is determined by its geology, vegetation, moisture and temperature.

The soil upon the intervals is a rich alluvial loam, used largely for garden purposes. In Watervliet, Albany, and the eastern parts of Guilderland and Bethlehem, it consists largely of sand, with strips of clay along the banks of the streams. This combination of soil is well adapted for the growth of some grains and grass. The belt of land lying between the sandy region and the foot of the Helderbergs is principally a clay and gravelly loam, receiving the drainage from the limestone hills, which renders the soil very productive. Upon the Helderbergs the soil is colder, consisting of alternate layers of clay, slate and gravel, with a subsoil of tenacious clay or hardpan. Some portions are stony, wet and cold. These are not very productive. Some of these lands are favorable for grazing.

On the Mohawk the land is uneven and naturally sterile. Most of the soil in the county is susceptible of culture, and has within its limits the material needed to make it productive. The facts relating to its husbandry and productions will appear under the head of Agriculture.

#### MINERALOGY.

Among the minerals of the county, as given by Mather and Beck, are bog iron ore in a few localities; snowy gypsum along the Helderbergs and in Coeymans; marl beds of some extent in Bethlehem and Coeymans; calcareous spar on the banks of the Normans Kill, in a cavern a few miles from Albany, also in the town of Knox and in the McCullough quarries of New Scotland. Epsom salts have been found in small quantities in the form of efflorescences in Coeymans, on the east face of the Helderberg, and in the townships of Bethlehem and Guilderland. Rock and quartz crystals are picked up in several localities. These minerals are of very little value;

but the county is rich in geological formations, as appears elsewhere.

The mineral springs of the county comprise the following: Acidulous, saline, chalybeate waters, near Boyd's brewery, Albany, were found in a slate strata after boring 300 feet below tide; another sulphurous spring was found by boring 100 feet; also a carbureted gas spring—both in the same vicinity. Sulphurous springs have been found at Wendell's Hollow, near the city; at Coeyman's Landing; near McKown's, in Guiderland; in Watervliet, near Van Rensselaer's, and in Rensselaerville. White sulphur springs exist in Berne, and on the farm of James Hendrick, in New Scotland. The mineral springs issue from the slate rocks of the Hudson group. The white sulphur springs especially are visited by invalids.

#### PALEONTOLOGY.

The Cohoes mastodon is the most remarkable of the ancient fossils in this county. The following notes in regard to it are taken from the "Notes and Observations" of Dr. James Hall, our citizen geologist, whose fame in the fields of science makes him a citizen of the world of scholars:

In the month of September, 1866, the workmen engaged in excavations for the foundations of a new mill to be erected by the "Harmony Mills Company of Cohoes, N. Y.," discovered the lower jaw of a mastodon, with a single foot bone, resting upon a projection of rocks between two depressions or concave walls of small pot-holes, in the margin of what afterwards proved to be a large pot-hole.

At this time the excavation had been carried on to the depth of about twenty-five feet from the original surface.

The discovery of a jaw with a single bone in such a position naturally led to the inference that the other parts of the skeleton would be found at the bottom of the pot-hole, could it ever be reached, and the progress of the excavation was watched with great interest. In the bottom of this cavity, lying upon a bed of clay, broken slate, gravel and water-worn pebbles, and covered with river ooze and vegetable soil, lay the principal parts of the mastodon skeleton. The first parts uncovered were the bones of the hind legs, with a portion of the pelvis. The head, with tusks unbroken and undisturbed, was directed to the eastward and partially inclined against the sloping walls. The vertebræ, with exceptions, the ribs in part, one fore limb and scapula followed, the pos-

terior parts lying more to the westward and south-westward, but all in juxtaposition. The absence of the lower and some of the larger limb bones was obvious, and but for these we might have supposed that the entire skeleton had been drifted into this pot-hole and covered with river ooze and peaty soil. On further examination other bones were discovered thirty or forty feet distant, and at a somewhat lower level than the main part of the skeleton, but still above the gravel. Expecting to find some, at least, of the remaining bones, efforts were made to remove all the peaty earth and loose materials, but this was not fully accomplished.

At a later date, some time in February, 1867, during excavations upon another part of the ground outside of the mill, a small pot-hole was opened in which were found bones of the right fore leg and foot. This point is more than sixty feet to the southwest of the place where the principal bones of the skeleton were found, and at least twenty feet higher.

All the parts of the skeleton found at the different points designated were presented to the State Cabinet of Natural History by Alfred Wild, Esq., President of the Harmony Mills Company, and have been mounted in their proper position. The missing bones were modeled from opposite corresponding parts or from adjacent ones, and afterwards cast in plaster-of-Paris. In some instances recourse was had to the Warren mastodon skeleton, of which careful examinations and comparisons were made.

In the following spring and summer a careful survey of the Cohoes Falls and the surrounding country was made, mainly with a view of determining the relations of the pot-holes, in which the mastodon remains were found, to those of the river bed and adjacent valley. From this survey it was clearly ascertained that the large and deep pot-holes were entirely outside the present river channel; that all the pot-holes existing within limits overflowed by the present Mohawk River are shallow basins. We therefore began to distinguish them as *ancient* and *modern*, and, with few exceptions, above the falls all those of the river bed seem to be of modern origin.

We have, by these observations, determined that the water of the present river, neither above, below nor at the falls, produces pot-holes of the character of those in which the mastodon bones were found.

In the bottom of all the ancient pot-holes there is a considerable space occupied by gravel and pebbles, which are chiefly or almost wholly of hard quartzite, a partially metamorphic condition of the

Potsdam sandstone. Turning to the northward, we find large exposures of the sandstone or quartzite, from which these pebbles might have been derived, had there been the means of transporting them.

The breaking down of these rocks, and the transport is usually attributed to the action of ice, and the rounding of these into pebbles is due to the action of water. The agency which transported the quartz pebbles of the Mohawk valley was doubtless the same as that which transported the remains of the mastodon found in the pot-holes at Cohoes. I do not believe that any of the mastodon remains which we find are of animals that wandered into swamps or sought their food in such localities, and thus became mired.

Returning to the consideration of the geographical and geological surroundings of the Cohoes mastodon, we find the following conditions: The Mohawk River, having an easterly direction, makes a bend toward the northward after leaving Schenectady; at Crescent it turns abruptly to the southeast, uniting with the Hudson River below Waterford, and at a point ten miles above Albany. The Cohoes Falls is on the Mohawk, about one mile above its junction with the Hudson River. The area to the southward is covered by drift and estuary deposits in the order of boulder-clay and gravel below, above which is an evenly stratified clay, graduating into a loam, and finally to a fine yellow sand, which covers much of the area between Albany and Schenectady.

The relation of the clay and gravel are often seen in excavations; they are often found resting upon a boulder-clay, or a mixture of clay and gravel, the whole covering an extremely uneven surface of slate rock, as is often seen along the Hudson and at a few points along the Normans Kill.

Throughout all parts of the river bed and channel we search in vain for evidence of pot-holes of the character of those described as containing pebbles of quartzite, and in which the remains of the mastodon were found. These ancient pot-holes are of all dimensions, from one foot to fifty feet in depth and diameter.

The pot-holes of the river bed exhibit all stages of formation and obliteration. The shales of the Hudson River Group present everywhere a surface quite rough in detail, though even and regular in its general features. An insensible gradation may be seen above the crest of the fall, from irregular hollows, bounded by sharp fractures of slate, to deep, rounded, smoothed pot-holes. Upon the

plateau below the fall the few remaining pot-holes are filled nearly to the brim by gravel and mud. The typical form of these pot-holes is a cylinder, with rounded bottom and rounded brim. The type is modified by the enlargement of the mouth, by expansions and constrictions in the shaft, and other irregularities. The interior surfaces are rounded, smoothed and even polished, especially at the bottom. In my examination I saw nothing to controvert the theory that they were formed by the grinding action of stones moved by water.

The rock over which the Mohawk flows, from the Cohoes Company's dam to the Hudson, is of very uniform character.

Excavation has revealed in Cohoes and vicinity a number of pot-holes found anterior to the present gorge of the Mohawk. The great difference between the pot-holes of the shore and of the river bed appears to be that of size. Half of those discovered on the eastern shore outrank the largest of the modern. The mastodon pot-hole was probed to a depth greater than the river bed can show. The gravel from the ancient pot-holes is all well rounded, while the modern ones contain many boulders that are but partly so.

The water makes no clear leap in Cohoes Falls; for a distance of 400 feet the descent is 14 feet on a gradual plane, and from the crest to the base, on a curved slope, 57 feet. Above Cohoes town the bed rock of the west shore is, to a large extent, hidden by the hills of drift and a terrace of clay. On the east side, an area nearly a mile broad and two miles long shows the bed rock, covered by a thin clay soil derived from the decomposition of the rock itself. This area is elevated about 175 feet above the water of the Hudson. Its eastern boundary is a line of drift hills and terrace. The latter is of clay, covered by sand, and extends some distance up that river. The drift hills frequently rise above the level of the terrace.

The rock plateau below Cohoes Falls is the base line for sections near the falls; it is 61 feet above tidewater. The upper level of the Cohoes Company's race is 94 feet above plateau and 188 above tide; cliff near the falls, 115 feet above plateau, and 176 feet above tide; plateau west of Albany, 225 feet above tide; top of gravel hill near "Patroon's," about 225 feet above tide. Gravel banks: At the Patroon's a remarkable inclined bed of clay lies under and over gravel in the following order: Soil, slightly sorted gravel, red clay, blue clay, stratified, coarse and fine sand, with rarely lenticular beds of coarse gravel. These gravel banks extend nearly to Cohoes. The coarser materials of

the gravel hills near Albany are chiefly of the conglomerate of the Hudson River Group and conglomerates and jaspers of the Quebec Group. Massive quartz, white or yellow (Potsdam?), is commonly met with, and, in some hills near the Mohawk, seem even to predominate. They are the best worn of all the pebbles, but the boulders generally are not so well rounded as those turned by pot-holes.

The numerous fossil shells referred to under the head of "Geology," in connection with the rock formations, properly come under this head. They all have a specific name which we cannot repeat here. They may be often seen in the flagstones that cover our city sidewalks, and the rough stones in the roadside walls. They tell us of the inhabitants that dwelt, countless ages ago, in the now upheaved bed of the old ocean that once surged over the places where we dwell.

### BOTANY.

The Flora of the county of Albany is rich in the number and variety of its plants, almost every natural order and genus common to the State being represented in this county. The hills and valleys, fields and forests, lakes, brooks and swamps, all contribute to adorn nature with a profusion of vegetable beauty, and invite the practical student to gather these treasures so liberally spread before him.

The amateur and student in Botany will find few localities in the State from which he can secure a greater variety of interesting plants than in Albany county. Nature has, indeed, been lavish in her gifts to our county, as seen all over its surface, made picturesque and charming by the grand Helderbergs, the noble Hudson, its crystal lakes, its rapid streams tumbling over cataracts, running through deep ravines, its caverns and rocky recesses and steep precipices, its forest trees and shrubs, its varied and beautiful flora, its fields of grass and grain, and its variety of sedges, mosses, rushes and ferns in the by-places.

We are indebted to Torrey's "State Botany," Wright & Hall's "Plants About Troy," Prof. C. H. Peck and Dr. J. S. Markle for valuable aid in this chapter.

In the list of the trees, shrubs and plants found in the county, only such as are indigenous or naturalized are included. They are grouped under their natural orders, and the generic, specific and common names are given. Exotic and greenhouse plants will be omitted from our list. All descriptions, for want of space, are left out. The

simple list will tell our wealth and make a useful guide to the student.

### RANUNCULACEÆ.

ORDER.	COMMON NAME.
<i>Clematis, Virginiana</i> .....	Virgin's Bower.
<i>C..... verticillaris</i> .....	Whorl-leaved V. B.
<i>Anemone, nemorosa</i> .....	Wood Anemone.
<i>A..... Pennsylvanica</i> .....	—
<i>A..... cylindrica</i> .....	—
<i>A..... Virginiana</i> .....	Virginia Anemone.
<i>Hepatica, triloba</i> .....	Liverwort.
<i>H..... acutiloba</i> .....	—
<i>Ranunculus, Flammula</i> .....	Small Spearwort.
<i>R..... recurvatus</i> .....	Hooked Crowfoot.
<i>R..... fascicularis</i> .....	Early Crowfoot.
<i>R..... abortivus</i> .....	Round-leaved Crowfoot.
<i>R..... sceleratus</i> .....	Celery Crowfoot.
<i>R..... acris</i> .....	Butter-cups.
<i>R..... bulbosus</i> .....	Bulbous Crowfoot.
<i>R..... Pennsylvanicus</i> .....	Bristly Crowfoot.
<i>R..... multifidus</i> .....	Yellow Water Crowfoot.
<i>R..... repens</i> .....	Creeping Crowfoot.
<i>Caltha, palustris</i> .....	Marsh Marigold.
<i>Coptis, trifolia</i> .....	Goldthread.
<i>Aquilegia, Canadensis</i> .....	Wild Columbine.
<i>Actæa, spicata var.</i> .....	Red Baneberry.
<i>A..... rubra</i> .....	White Baneberry.
<i>Thalictrum, dioicum</i> .....	Early Meadow Rue.
<i>T..... purpurascens</i> .....	Purple Meadow Rue.
<i>T..... Cornuti</i> .....	Meadow Rue.
<i>T..... anemonioides</i> .....	Rue Anemone.

### MAGNOLIACEÆ.

*Liriodendron, Tulipifera*..... White Wood. Tulip Tree.

### MENISPERMACEÆ.

*Menispermum, Canadense*..... Moon Seed.

### BERBERIDACEÆ.

*Podophyllum, peltatum*..... May Apple. Mandrake.  
*Caulophyllum, thalictroides*..... Blue Cohosh.

### CABOMBACEÆ.

*Brasenia, peltatum*..... Water Target.

### NYMPHÆACEÆ.

*Nymphaea, odorata*..... Water Lily.  
*Nuphar, advena*..... Yellow Pond Lily.  
*N..... Kalmiana*..... Kalm's Pond Lily.

### SARRACENIACEÆ.

*Sarracenia, purpurea*..... Side-saddle Flower.

### PAPAVERACEÆ.

*Sanguinaria, Canadensis*..... Bloodroot.  
*Chelidonium, majus*..... Celandine.

### FUMARIACEÆ.

*Dicentra, cucullaria*..... Dutchman's Breeches.  
*D..... Canadensis*..... Squirrel Coon.  
*Adlumia, cirrhosa*..... Mountain Fringe.  
*Corydalis, glauca*..... Glauous Corydalis.

### CRUCIFERÆ.

*Capsella, Bursa-pastoris*..... Shepherd's Purse.  
*Lepidium, Virginicum*..... Wild Pepper-grass.  
*L..... campestre*..... Yellow Seed.

## CRUCIFERÆ.

<i>Draba, verna</i> .....	Whillbow Grass.
<i>Nasturtium, palustre</i> .....	Marsh Watercress.
<i>Barbarea, vulgaris</i> .....	Winter Cress.
<i>Arabis, Canadensis</i> .....	Sickle Pod.
<i>A..... lyrata</i> .....	Wall Cress.
<i>A..... levigata</i> .....	Smooth Wall Cress.
<i>A..... hirsuta</i> .....	Hairy Wall Cress.
<i>Cardamine, hirsuta</i> .....	Small Bitter Cress.
<i>C..... rhomboidea</i> .....	Spring Cress.
<i>C..... Pratensis</i> .....	Field Cardamine.
<i>Dentaria, diphylla</i> .....	Pepper Root.
<i>D..... laciniata</i> .....	Tooth Wort.
<i>Sisymbrium, officinale</i> .....	Hedge Mustard.
<i>Erysimum, cheiranthoides</i> .....	Wormseed Mustard.
<i>Sinapis, nigra</i> .....	Black Mustard.
<i>S..... arvensis</i> .....	Field Mustard. Charlock.

## CAPPARIDACEÆ.

<i>Polanisia, graveolens</i> .....	—
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## VIOLACEÆ.

<i>Viola, cucullata</i> .....	Hood-leaved Violet.
<i>V.... sagittaria</i> .....	Arrow-leaved Violet.
<i>V.... Selkirkii</i> .....	Selkirk's Violet.
<i>V.... palmata</i> .....	Palmated Violet.
<i>V.... pedata</i> .....	Pedate Violet.
<i>V.... blanda</i> .....	Sweet-scented Violet.
<i>V.... lanceolata</i> .....	Lance-leaved Violet.
<i>V.... rotundifolia</i> .....	Round-leaved Violet.
<i>V.... Canadensis</i> .....	Canadian Violet.
<i>V.... pubescens</i> .....	Common Yellow Violet.
<i>V.... Muhlenbergii</i> .....	Muhlenberg's Violet.
<i>V.... rostrata</i> .....	Beaked Violet.

## DROSERACEÆ.

<i>Drosera, rotundifolia</i> .....	Round-leaved Sundew.
<i>D..... longifolia</i> .....	Long-leaved Sundew.

## PARNASSIACEÆ.

<i>Parnassia, Caroliniana</i> .....	Grass of Parnassus.
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## CISTACEÆ.

<i>Lechea, major</i> .....	Larger Pinweed.
<i>L..... minor</i> .....	Smaller Pinweed.
<i>Helianthemum, Canadense</i> .....	Rock Rose.
<i>Hudsonia, Tomentosa</i> .....	Woolly Hudsonia.

## ELATINACEÆ.

<i>Elatine, Americana</i> .....	Mud Purslane.
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## HYPERICACEÆ.

<i>Hypericum, pyramidatum</i> .....	Giant Hypericum.
<i>H..... perforatum</i> .....	Common St. John's-wort.
<i>H..... corymbosum</i> .....	Spotted St. John's-wort.
<i>H..... mutilum</i> .....	Small St. John's-wort.
<i>H..... Canadense</i> .....	Canadian St. John's-wort.
<i>Elodes..... Virginica</i> .....	Marsh St. John's-wort.

## ILLECEBRACEÆ.

<i>Anychia, dichotoma</i> .....	Forked Chickweed.
<i>Spergula, arvensis</i> .....	Corn Spurry.

## CARYOPHYLLACEÆ.

<i>Stellaria, media</i> .....	Chickweed.
<i>S..... longifolia</i> .....	Long-leaved Stitch-wort.

<i>Cerastium, vulgatum</i> .....	Mouse-ear Chickweed.
<i>C..... viscosum</i> .....	Sticky Chickweed.
<i>C..... arvense</i> .....	Field Chickweed.
<i>C..... nutans</i> .....	Nodding Chickweed.
<i>Arenaria, stricta</i> .....	Straight Sandwort.
<i>A..... serpyllifolia</i> .....	Thyme-leaved Sandwort.
<i>Sagina, procumbens</i> .....	Creeping Sandwort.
<i>Mollugo, verticillata</i> .....	Carpet Weed.
<i>Silene, antirrhina</i> .....	Snap-dragon Catch-fly.
<i>Silene, noctiflora</i> .....	Night-flowering Catch-fly.
<i>Lychnis, Githago</i> .....	Corn Cockle.
<i>Saponaria, officinalis</i> .....	Common Soapwort.
<i>Scleranthus, annuus</i> .....	Knaivel.

## PORTULACACEÆ.

<i>Portulaca, oleracea</i> .....	Purslane.
<i>Claytonia, Caroliniana</i> .....	Spring Beauty.
<i>C..... Virginica</i> .....	Virginian Spring Beauty.

## MALVACEÆ.

<i>Malva, rotundifolia</i> .....	Low Mallow.
<i>Abutilon, Avicennæ</i> .....	Velvet-leaf Mallow.

## LINACEÆ.

<i>Linum, Virginianum</i> .....	Virginian Flax.
<i>L..... usitatissimum</i> .....	Common Flax.

## GERANIACEÆ.

<i>Geranium, maculatum</i> .....	Spotted Geranium.
<i>G..... Robertianum</i> .....	Herb Robert.
<i>G..... Carolinianum</i> .....	Carolina Crane's bill.

## BALSAMINACEÆ.

<i>Impatiens, pallida</i> .....	Touch-me-not.
<i>I..... fulva</i> .....	Jewel Weed.

## OXALIDACEÆ.

<i>Oxalis, Acetosella</i> .....	Common Wood Sorrel.
<i>O.... violacea</i> .....	Violet Wood Sorrel.
<i>O.... stricta</i> .....	Yellow Wood Sorrel.

## ZANTHOXYLACEÆ.

<i>Zanthoxylum, Americanum</i> .....	Prickly Ash.
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## ANACARDIACEÆ.

<i>Rhus, glabra</i> .....	Smooth Sumac.
<i>R.... typhina</i> .....	Stag-horn Sumac.
<i>R.... copallina</i> .....	Mountain Sumac.
<i>R.... venenata</i> .....	Poison Sumac.
<i>R.... Toxicodendron</i> .....	Poison Ivy.
<i>R.... aromatica</i> .....	Sweet Sumac.

## TILIACEÆ.

<i>Tilia, Americana</i> .....	Linden. Bass Wood.
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## VITACEÆ.

<i>Vitis, Labrusca</i> .....	Large-Blue Grape.
<i>V.... cordifolia</i> .....	Frost Grape.
<i>V.... æstivalis</i> .....	Summer Grape.
<i>Ampelopsis, quinquefolia</i> .....	Woodbine. Virginian Creeper.

## ACERACEÆ.

<i>Acer, rubrum</i> .....	Swamp Maple.
<i>A.... dasycarpum</i> .....	White Maple.
<i>A.... saccharinum</i> .....	Sugar Maple.
<i>A.... nigrum</i> .....	Black Maple.
<i>A.... Pennsylvanicum</i> .....	Striped Maple.

## ACERACEÆ.

*Acer, spicatum*.....Mountain Maple.

## CELASTRACEÆ.

*Staphylea, trifolia*.....Bladder Nut.  
*Celastrus, scandens*.....Climbing Bitter Sweet.

## RHAMNACEÆ.

*Ceanothus, Americanus*.....Jersey Tea.

## POLYGALACEÆ.

*Polygala, verticillata*.....Whorl-leaved Polygala.  
*P..... Senega*.....Seneca Snake-root.  
*P..... paucifolia*.....Fringed Polygala.

## LEGUMINOSÆ.

*Ervum, hirsutum*.....Hairy Vetch.  
*Apios, tuberosa*.....Ground Nut.  
*Amphicarpa, monoica*.....Hog Nut.  
*Tephrosia, Virginiana*.....Goat's Rue.  
*Trifolium, repens*.....White Clover.  
*T..... ævense*.....Haresfoot Trefoil.  
*T..... pratense*.....Common Red Clover.  
*T..... agrarium*.....Field or Hop Trefoil.  
*Melilotus, officinalis*.....Yellow Melilot.  
*M..... alba*.....White Melilot.  
*Medicago, lupulina*.....Nonesuch.  
*Astragalus, Canadensis*.....Canadian Vetch.  
*Desmodium, nudiflorum*.....Naked-flowered Desmodium.  
*D..... acuminatum*.....Pointed-leaved Desmodium.  
*D..... canescens*.....Hoary Desmodium.  
*D..... Canadense*.....Bush Trefoil.  
*D..... cuspidatum*.....Cuspidate Desmodium.  
*D..... paniculatum*.....Panicked Desmodium.  
*D..... rotundifolium*.....Round-leaved Desmodium.  
*Lespedeza, capitata*.....Bush Clover.  
*L..... hirta*.....Hairy Lespedeza.  
*L..... procumbens*.....Trailing Lespedeza.  
*L..... violacea*.....Violet Lespedeza.  
*L..... sessiliflora*.....Sessile-flowered Lespedeza.  
*Lupinus, perennis*.....Common Lupine.  
*Baptisia, tinctoria*.....Wild Indigo.  
*Cassia, marilandica*.....American Senna.  
*C..... Chamaecrista*.....Dwarf-Cassia.  
*C..... nictitans*.....Wild Sensitive Plant.

## ROSACEÆ.

*Prunus, serotina*.....Black or Wild Cherry.  
*P..... Virginiana*.....Choke Cherry.  
*P..... Pennsylvanica*.....Wild Red Cherry.  
*P..... pumila*.....Sand Cherry.  
*P..... Americana*.....Wild Plum.  
*Crataegus, coccinea*.....White Thorn.  
*C..... Crus-galli*.....Cockspur Thorn.  
*C..... punctata*.....Thorn.  
*Pyrus, arbutifolia*.....Choke-Berry.  
*P..... Americana*.....Mountain Ash.  
*Amelanchier, Canadensis*.....Shad-Berry, Bill-berry.  
*Rosa, Carolina*.....Swamp Rose.  
*R..... lucida*.....Shining or Wild Rose.  
*R..... blanda*.....Bland Rose.  
*R..... rubiginosa*.....Sweet Brier.  
*Rubus, villosus*.....High Blackberry.  
*R..... hispidus*.....Bristly Blackberry.  
*R..... Canadensis*.....Low Blackberry.

*Rubus, odoratus*.....Rose-flowering Raspberry.  
*R..... strigosus*.....Wild Red Raspberry.  
*R..... occidentalis*.....Black Raspberry.  
*R..... triflorus*.....Three-flowered Raspberry.  
*Potentilla, Norvegica*.....Norwegian Potentilla.  
*P..... Canadensis*.....Common Cinquefoil.  
*P..... argentea*.....Silvery Cinquefoil.  
*P..... anserina*.....Silver Weed.  
*P..... arguta*.....White flowered Potentilla.  
*P..... palustris*.....Marsh Cinquefoil.  
*Fragaria, Virginiana*.....Wild Strawberry.  
*F. Vesca*.....Alpine or Wood Straw-  
 berry.  
*Dalibarda, repens*.....False Violet.  
*Waldsteinia, fragarioides*.....Dry Strawberry.  
*Geum, rivale*.....Purple Avena.  
*G..... strictum*.....Yellow Avena.  
*G..... Virginianum*.....White Avena.  
*Poterium, Canadense*.....Burnet Saxifrage.  
*Agrimonia, Eupatoria*.....Agrimony.  
*Spiræa, tomentosa*.....Hardhack.  
*S..... salicifolia*.....Queen of the Meadow.  
*S..... Opulifolia*.....Nine-bark.

## LYTHRACEÆ.

*Decodon, Verticillatum*..... —

## ONAGRACEÆ.

*Epilobium, angustifolium*.....Willow Herb.  
*E..... Coloratum*.....Colored Epilobium.  
*E..... hirsutum*.....Hairy Epilobium.  
*(E)nothera, biennis*.....Common Evening Prim-  
 rose.  
*(E)..... pumila*.....Dwarf Evening Primrose.  
*Gaura, biennis*.....Biennial Gaura.  
*Circæa, Lutetiana*.....Enchanter's Nightshade.  
*C..... alpina*.....Alpine Nightshade.

## CUCURBITACEÆ.

*Sicyos, angulatus*.....Single-seeded Cucumber.  
*Echinocystis, lobata*.....Wild Balsam-Apple.

## GROSSULACEÆ.

*Ribes, floridum*.....Wild Black Currant.  
*R..... prostratum*.....Fetid Currant.  
*R..... Cynosbati*.....Prickly Gooseberry.  
*R..... rotundifolium*.....Wild Gooseberry.

## CRASSULACEÆ.

*Sedum, Telephium*.....Common Live-forever.  
*Penthorum, sedoides*.....Virginia Stone-Crop.

## SAXIFRAGACEÆ.

*Saxifraga, Virginiana*.....Early Saxifrage.  
*S..... Pennsylvanica*.....Tall Saxifrage.  
*Heuchera, Americana*.....Alum Root.  
*Mitella, diphylla*.....Bishop's Cap.  
*M..... nuda*.....Leafless stemmed Bishop's  
 Cap.  
*Tiarella, cordifolia*.....Mitre Wort, Gem Fruit.  
*Chrysosplenium, Americanum*.....Water Carpet.

## HAMAMELACEÆ.

*Hamamelis, Virginica*.....Witch Hazel.

## UMBELLIFERÆ.

Hydrocotyle, Americana.....	Pennywort.
H..... umbellata.....	Umbellate Pennywort.
Sanicula, Canadensis.....	Canadian Sanicle.
S..... Marilandica.....	Long-styled Sanicle.
Cicuta, maculata.....	Water Hemlock.
C..... bulbifera.....	Narrow-leaved Hemlock.
Sium, latifolium.....	Water Parsnip.
S..... lineare.....	Linear-leaved Water Parsnip.
Cryptotaenia, Canadensis.....	Hone-wort.
Zizia, Aurea.....	Golden Alexander.
Z..... integerrima.....	Entire leaved Golden Alexander.
Archangelica, atropurpurea.....	Angelica.
A..... hirsuta.....	Hairy Angelica.
Daucus, Carota.....	Wild Carrot.
Pastinaca, sativa.....	Common Wild Parsnip.
Heracleum, lanatum.....	Cow Parsnip.
Osmorrhiza, longistylis.....	Sweet Cicily.
O..... brevistylis.....	Short-styled Cicily.
Conium, maculatum.....	Poison Hemlock.

## ARALIACEÆ.

Aralia, nudicaulis.....	Wild Sarsaparilla.
A..... racemosa.....	Spikenard.
A..... hispida.....	Bristly Aralia. [Ginseng.
Panax, trifolium.....	Ground Nut. Dwarf
P..... quinquefolium.....	Ginseng.

## CORNACEÆ.

Cornus, stolonifera.....	White-berried Cornel.
C..... sericea.....	Red Osier.
C..... circinata.....	Round-leaved Dogwood.
C..... alternifolia.....	Alternate-leaved.
C..... paniculata.....	Panicked Dogwood.
C..... florida.....	Flowering Dogwood.
C..... Canadensis.....	Low Cornel, or Dogwood.

## CAPRIFOLIACEÆ.

Lonicera, hirsuta.....	Hairy Honeysuckle.
L..... parviflora.....	Small-flowered "
L..... ciliata.....	Fly Honeysuckle.
Diervilla, trifida.....	Bush Honeysuckle.
Triosteum, perfoliatum.....	Fever-wort.
Symphoricarpos, racemosus.....	Snow-berry.
Linnaea, borealis.....	Twin-flower.
Sambucus, Canadensis.....	Common Elder.
S..... pubens.....	Panicked Elder.
Viburnum, lantanoides.....	Hobble-bush.
V..... opulus.....	High Cranberry.
V..... acerifolium.....	Dockmackie.
V..... Lentago.....	Sweet Viburnum.
V..... nudum.....	Swamp Viburnum.
V..... dentatum.....	Arrow-head.
V..... pubescens.....	Downy Viburnum.

## RUBIACEÆ.

Galium, asprellum.....	Rough Cleavers.
G..... trifidum.....	Small Bedstraw.
G..... triflorum.....	Sweet-scented Bedstraw.
G..... Aparine.....	Common Cleavers.
G..... boreale.....	Northern Galium.
G..... circæzans.....	Circæa-like Galium.
Mitchella, repens.....	Partridge Berry.

Hedyotis, cœrulea.....	Dwarf Pink.
H..... longifolia.....	Long-leaved Dwarf Pink.
Cephalanthus, occidentalis.....	Button Bush.

## COMPOSITÆ.

Eupatorium.....	Trumpet-weed.
E..... purpureum.....	—
E..... sessilifolium.....	Sessile-leaved Eupatorium
E..... perfoliatum.....	Thoroughwort. Boneset.
E..... ageratoides.....	Nettle-leaved Eupatorium
Tussilago, Farfara.....	Colt's-foot.
Aster, corymbosus.....	Corymbed Aster.
Aster, macrophyllus.....	Large-leaved Aster.
Aster, cordifolius.....	Heart-leaved Aster.
A..... undulatus.....	Wave-leaved Aster.
A..... patens.....	Spreading Aster.
A..... laevis.....	Smooth Aster.
A..... puniceus.....	Red-stalked Aster.
A..... Novæ Angliæ.....	New England Aster.
A..... Tradescanti.....	Tradescant's Aster.
A..... miser.....	Starved Aster.
A..... simplex.....	Willow-leaved Aster.
A..... tenuifolius.....	Narrow-leaved Aster.
A..... dumosus.....	Bushy Aster.
A..... ericoides.....	Heath-like Aster.
A..... multiflorus.....	Many-flowered Aster.
A..... acuminatus.....	Acuminate Wood Aster.
Sericocarpus, conyzoides.....	Broad-leaved Sericocarpus.
Erigeron, bellidifolium.....	Robin's Plantain.
E..... Philadelphicum.....	Narrow-leaved Robin's Plantain.
E..... annuum.....	Common Fleabane.
E..... strigosum.....	Fleabane. White Weed
E..... Canadense.....	Canadian Fleabane.
Solidago, lanceolata.....	Grass-leaved Goldenrod.
S..... squarrosa.....	Ragged Goldenrod.
S..... bicolor.....	White Goldenrod.
S..... latifolia.....	Broad-leaved Goldenrod.
S..... caesia.....	Blue-stemmed Goldenrod.
S..... nemoralis.....	Gray Goldenrod.
S..... arguta.....	Sharp-toothed Goldenrod
S..... Canadensis.....	Canadian Goldenrod.
S..... serotina.....	Late Goldenrod.
S..... altissima.....	Tall Goldenrod.
Inula, helenium.....	Elecampane.
Heliopsis, laevis.....	Ox-eye.
Rudbeckia, lanciniata.....	Smooth Rudbeckia.
R..... hirta.....	Hairy Rudbeckia.
Helianthus, annuus.....	Common Sunflower.
H..... decapetalus.....	Ten-rayed Sunflower.
H..... divaricatus.....	Spreading Sunflower.
H..... strumosus.....	Wild Sunflower.
Helenium, autumnale.....	American Sneezewort.
Maruta, Cotula.....	May-weed.
Achillea, Millefolium.....	Millfoil. Yarrow.
Leucanthemum, vulgare.....	Ox-eye Daisy.
Bidens, frondosa.....	Leaty-bur Marigold.
B..... connata.....	Trifid-bur Marigold.
B..... cernua.....	Water-bur Marigold.
B..... chrysanthemoides.....	Radiate-bur Marigold.
Senecio, aureus.....	Golden Senecio.
Artemisia, vulgaris.....	Mugwort.
Gnaphalium, polycephalum.....	Fragrant Life-everlasting.
G..... decurrens.....	Decurrent Life everlasting.
G..... uliginosum.....	Mud Life-everlasting.

COMPOSITÆ.

<i>Antennaria, margaritacea</i> .....	Pearly Life-everlasting.
<i>A..... plantaginifolia</i> .....	Plantain-leaved Life-everlasting.
<i>Erechthites, hieracifolia</i> .....	Fir-weed.
<i>Xanthium, strumarium</i> .....	Clot-weed.
<i>Ambrosia, trifida</i> .....	Tall Ambrosia.
<i>A..... artemisiifolia</i> .....	Hog-weed.
<i>Lappa, major</i> .....	Burdock.
<i>Cirsium, arvense</i> .....	Canada Thistle.
<i>C..... lanceolatum</i> .....	Common Thistle.
<i>C..... muticum</i> .....	Swamp Thistle.
<i>Onopordon, acanthium</i> .....	Scotch Thistle.
<i>Krigia, Virginica</i> .....	Dwarf Dandelion.
<i>Cichorium, Intybus</i> .....	Succory. Chicory.
<i>Lactuca, elongata</i> .....	Wild Lettuce.
<i>Hieracium, venosum</i> .....	Veiny-leaved Hawkweed.
<i>H..... paniculatum</i> .....	Panicked Hawkweed.
<i>H..... scabrum</i> .....	Rough Hawkweed. [tuce.
<i>Nabalus, albus</i> .....	Lion's-foot. White Let.
<i>N..... altissimus</i> .....	Tall Nabalus.
<i>N..... Fraseri</i> .....	Gall of the Earth.
<i>Taraxacum, Dens-leonis</i> .....	Dandelion.
<i>Sonchus, oleraceus</i> .....	Common Sow Thistle.
<i>S..... asper</i> .....	Rough Sow Thistle.

LOBELIACEÆ.

<i>Lobelia, cardinalis</i> .....	Cardinal Flower.
<i>Lobelia, inflata</i> .....	Indian Tobacco.
<i>L..... syphilitica</i> .....	Blue Cardinal Flower.
<i>L..... spicata</i> .....	Clayton's Lobelia.
<i>L..... Dortmanna</i> .....	Water Lobelia.

CAMPANULACEÆ.

<i>Campanula, rotundifolia</i> .....	Hare Bell.
<i>C..... Americana</i> .....	American Bell-flower.

ERICACEÆ.

<i>Gaylussacia, resinosa</i> .....	Black Whortleberry.
<i>Vaccinium, corymbosum</i> .....	High Whortleberry.
<i>V..... vacillans</i> .....	Low Blueberry.
<i>V..... Pennsylvanicum</i> .....	Dwarf Blueberry.
<i>V..... stamineum</i> .....	Dewberry.
<i>Oxycoccus, vulgaris</i> .....	Small Cranberry.
<i>O..... macrocarpus</i> .....	Large Cranberry.
<i>Arctostaphylos, Uva-ursi</i> .....	Bearberry.
<i>Andromeda, polifolia</i> .....	Marsh Andromeda.
<i>A..... ligustrina</i> .....	Panicked Lyonia.
<i>Cassandra, calyculata</i> .....	Leather-leaf. [berry.
<i>Gaultheria, procumbens</i> .....	Wintergreen. Checker-
<i>Epigæa, repens</i> .....	Trailing Arbutus. May-flower.
<i>Kalmia, latifolia</i> .....	Mountain Laurel.
<i>K..... angustifolia</i> .....	Sheep Poison.
<i>K..... glauca</i> .....	Swamp Laurel.
<i>Rhododendron, nudiflorum</i> .....	Swamp Pink.
<i>R..... viscosum</i> .....	Clammy Swamp Pink.
<i>Ledum, latifolium</i> .....	Labrador Tea.
<i>Pyrola, rotundifolia</i> .....	Round-leaved Pyrola.
<i>P..... chlorantha</i> .....	Green-flowered Pyrola.
<i>P..... elliptica</i> .....	Shin-leaf.
<i>P..... secunda</i> .....	One-sided Pyrola.
<i>Chimaphila, umbellata</i> .....	Prince's Pine. Pipsissewa.
<i>C..... maculata</i> .....	Spotted Wintergreen.

<i>Monotropa, uniflora</i> .....	Indian Pipe.
<i>M..... hypopitys</i> .....	Pine Sap.
<i>Pterospora, andromeda</i> .....	Giant Bird's Nest.

AQUIFOLIACEÆ.

<i>Prinos, verticillatus</i> .....	Black Alder. Winter-berry.
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PRIMULACEÆ.

<i>Trientalis, Americana</i> .....	Chickweed Wintergreen.
<i>Lysimachia, stricta</i> .....	Loosestrife.
<i>L..... ciliata</i> .....	Ciliate-leaved Loosestrife.
<i>L..... quadrifolia</i> .....	Four-leaved Loosestrife.
<i>L..... thysiflora</i> .....	Tufted Loosestrife.
<i>Anagallis, arvensis</i> .....	Poor-man's Weather Glass.

PLANTAGINACEÆ.

<i>Plantago, major</i> .....	Common Plantain. Ribwort.
<i>P..... lanceolata</i> .....	Lance-leaved Plantain.
<i>P..... Rugelii</i> .....	Rugel's Plantain.

LENTIBULACEÆ.

<i>Utricularia, vulgaris</i> .....	Common Bladderwort.
<i>U..... minor</i> .....	Smaller Bladderwort.
<i>U..... cornuta</i> .....	Horned Bladderwort.

OROBANCHACEÆ.

<i>Aphyllon, uniflorum</i> .....	One-flowered Broomrape.
<i>Conopholis, Americana</i> .....	American Broomrape.
<i>Epiphegus, Virginiana</i> .....	Beech-drops.

SCROPHULARIACEÆ.

<i>Verbascum, Thapsus</i> .....	Common Mullein.
<i>V..... Blattaria</i> .....	Moth Mullein.
<i>Linaria, vulgaris</i> .....	Toad Flax. Snap-dragon.
<i>L..... Canadensis</i> .....	Canadian Snap-dragon.
<i>Scrophularia, nodosa</i> .....	Figwort.
<i>Chelone, glabra</i> .....	Snake-head.
<i>Pentstemon, pubescens</i> .....	Beard-tongue.
<i>Mimulus, ringens</i> .....	Monkey Flower.
<i>Gratiola, aurea</i> .....	Golden Hedge Hyssop.
<i>G..... Virginiana</i> .....	Virginian Hedge Hyssop.
<i>Veronica, Americana</i> .....	Brooklime.
<i>V..... Virginica</i> .....	Culver's Physic.
<i>V..... acutellata</i> .....	Marsh Speedwell.
<i>V..... officinalis</i> .....	Officinal Speedwell.
<i>V..... peregrina</i> .....	Purslane Speedwell.
<i>V..... agrestis</i> .....	Field Speedwell.
<i>V..... serpyllifolia</i> .....	Thyme-leaved Speedwell.
<i>Gerardia, purpurea</i> .....	Purple Gerardia.
<i>G..... tenuifolia</i> .....	Small Purple Gerardia.
<i>Dasystoma, quercifolia</i> .....	Oak-leaved Dasystoma.
<i>D..... flava</i> .....	Downy Dasystoma.
<i>D..... pedicularia</i> .....	Lousewort Dasystoma.
<i>Pedicularis, Canadensis</i> .....	Lousewort.
<i>Melampyrum, pratense</i> .....	Cow Wheat.

VERBENACEÆ.

<i>Verbena, hastata</i> .....	Vervain, Simpler's Joy.
<i>V..... urticifolia</i> .....	Nettle-leaved Vervain.
<i>Phryma, leptostachya</i> .....	Phryma or Lopsced.

LABIATÆ.

<i>Mentha, Canadensis</i> .....	Horsemint.
<i>M..... viridis</i> .....	Spearmint.
<i>M..... piperita</i> .....	Peppermint.

## LABIATÆ.

<i>Isanthus, cæruleus</i> .....	Blue Gentian.
<i>Lycopus, sinuatus</i> .....	Water Hoarhound.
<i>L..... Virginicus</i> .....	Bugle Weed.
<i>Monarda, didyma</i> .....	Mountain Mint.
<i>M..... fistulosa</i> .....	Horsemint, Wild Berga- mot.
<i>Origanum, vulgare</i> .....	Wild Marjoram.
<i>Hedeoma, pulegioides</i> .....	Pennyroyal.
<i>Melissa, officinalis</i> .....	Balm.
<i>Collinsonia, Canadensis</i> .....	Stone-root.
<i>Scutellaria, galericulata</i> .....	Common Scull-cap.
<i>S..... lateriflora</i> .....	Mad-dog Scull-cap.
<i>Brunella, vulgaris</i> .....	Self-heal. Blue-curly.
<i>Nepeta, cataria</i> .....	Catnip, Catmint.
<i>N..... Glechoma</i> .....	Gill-over-the-ground.
<i>Physostegia, Virginiana</i> .....	Lion's Heart.
<i>Lamium, amplexicaule</i> .....	Henbit.
<i>Leonurus, Cardiaca</i> .....	Motherwort.
<i>Galeopsis, Tetrahit</i> .....	Hemp Nettle.
<i>Stachys, aspera</i> .....	Hedge Nettle.
<i>Marrubium, vulgare</i> .....	Hoarhound.
<i>Trichostema, dichotomum</i> .....	Blue-curly.
<i>Teucrium, Canadense</i> .....	Wild Germander.

## BORRAGINACEÆ.

<i>Echium, vulgare</i> .....	Viper's Bugloss.
<i>Symphytum, officinale</i> .....	Comfrey.
<i>Lycopsis, arvensis</i> .....	Wild Bugloss.
<i>Onosmodium, Virginianum</i> .....	False Gromwell.
<i>Lithospermum, arvense</i> .....	Corn Gromwell.
<i>L. (Batschia), canescens</i> .....	Puccoon.
<i>Mertensia, Virginica</i> .....	Virginian Lungwort.
<i>Cynoglossum, officinale</i> .....	Hound's Tongue.
<i>C..... Morisoni</i> .....	Beggar's Lice.
<i>Echinopspermum Lappula</i> .....	Burr-seed.

## HYDROPHYLLACEÆ.

<i>Hydrophyllum, Virginicum</i> .....	Virginian Water-leaf.
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## CONVOLVULACEÆ.

<i>Convolvulus, arvense</i> .....	Small Bindweed.
<i>C..... purpureus</i> .....	Common Morning Glory.
<i>Calystegia, spithamea</i> .....	Sweet Bindweed.
<i>C..... sepium</i> .....	Hedge Bindweed.
<i>Cuscuta, Gronovii</i> .....	Dodder.

## SOLANACEÆ.

<i>Datura, Stramonium</i> .....	Thorn Apple.
<i>Hyoscyamus, niger</i> .....	Common Henbane.
<i>Physalis, viscosa</i> .....	Ground Cherry.
<i>Solanum, Dulcamara</i> .....	Woody Nightshade.
<i>S..... nigrum</i> .....	Common Nightshade.

## GENTIANACEÆ.

<i>Gentiana, saponaria</i> .....	Soapwort Gentian.
<i>G..... quinqueflora</i> .....	Five-flowered Gentian.
<i>G..... crinita</i> .....	Blue-fringed Gentian.

## APOCYNACEÆ.

<i>Apocynum, adrosaemifolium</i> .....	Dogbane.
<i>A..... cannabinum</i> .....	Indian Hemp.

## ASCLEPIADACEÆ.

<i>Asclepias, Cornuti</i> .....	Common Silkweed.
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<i>Asclepias, phytolaccoides</i> .....	Poke-leaved Silkweed.
<i>A..... incarnata</i> .....	Rose-colored Silkweed.
<i>A..... quadrifolia</i> .....	Four-leaved Silkweed.
<i>A..... tuberosa</i> .....	Butterfly Weed.
<i>A..... verticillata</i> .....	Whorl-leaved Silkweed.
<i>A..... obtusifolia</i> .....	Obtuse-leaved Silkweed.

## OLEACEÆ.

<i>Fraxinus, Americana</i> .....	White Ash.
<i>F..... sambucifolia</i> .....	Black Ash.
<i>F..... pubescens</i> .....	Red Ash.

## ARISTOLOCHIACEÆ (Apetalæ).

<i>Asarum, Canadense</i> .....	Wild Ginger.
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## CHENOPODIACEÆ.

<i>Atriplex, Hortensis</i> .....	Garden Orache.
<i>A..... patula</i> .....	Spreading Atriplex.
<i>A..... rosea</i> .....	Rose Atriplex.
<i>Blitum, capitatum</i> .....	Strawberry Blite.
<i>Chenopodium, album</i> .....	Pig Weed.
<i>C..... hybridum</i> .....	Tall Goosefoot.
<i>C..... anthelminticum</i> .....	Worm Seed.
<i>C..... Botrys</i> .....	Jerusalem Oak.

## AMARANTHACEÆ.

<i>Amarantus, albus</i> .....	White Amaranth.
<i>A..... blitoides</i> .....	Low Amaranth.
<i>A..... retroflexus</i> .....	Pigweed.
<i>A..... viridis</i> .....	Green Amaranth.

## POLYGONACEÆ.

<i>Polygonum, aviculare</i> .....	Knot-grass.
<i>P..... erectum</i> .....	Knot-grass.
<i>P..... Hydropiperoides</i> .....	Water Pepper.
<i>P..... Persicaria</i> .....	Lady's Thumb.
<i>P..... Pennsylvanicum</i> .....	Pennsylvanian Knot-grass.
<i>P..... Virginianum</i> .....	Virginian Knot-grass.
<i>P..... articulatum</i> .....	Jointed Polygonum.
<i>P..... sagittatum</i> .....	Scratchgrass.
<i>P..... arifolium</i> .....	Hastate Knot-grass.
<i>P..... Convolvulus</i> .....	Knot Bindweed.
<i>P..... cilinode</i> .....	Hairy node Polygonum.
<i>P..... dumetorum</i> .....	False Buckwheat.
<i>Rumex, crispus</i> .....	Yellow Dock.
<i>R..... verticillatus</i> .....	Swamp Dock.
<i>R..... Britannica</i> .....	British Water Dock.
<i>R..... obtusifolius</i> .....	Bitter Dock.
<i>R..... Acetosella</i> .....	Field Sorrel, Horse Sorrel.

## PHYTOLACCACEÆ.

<i>Phytolacca, decandra</i> .....	Poke, Garget Weed.
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## LAURACEÆ.

<i>Benzoin, Linderæ</i> .....	Fever Bush, Spice Wood.
<i>Sassafras, officinale</i> .....	Sassafras.

## SANTALACEÆ.

<i>Comandra, umbellata</i> .....	Bastard Toadflax.
<i>Nyssa, multiflora</i> .....	Pepperidge.

## THYMELACEÆ.

<i>Dirca, palustris</i> .....	Leather-wood.
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## ULMACEÆ.

<i>Ulmus, Americana</i> .....	American Elm, White Elm.
<i>U..... fulva</i> .....	Slippery or Red Elm.

## EUPHORBIACEÆ.

- Euphorbia*, *Corollata*.....Flowering Spurge.  
*E*.....*Cyparissias*.....Cypress Spurge.  
*E*.....*Lathyrus*.....Caper Spurge.  
*E*.....*hypericifolia*.....Eye-bright.  
*E*.....*maculata*.....Spotted Spurge.  
*Acalypha*, *Virginica*.....Three-seeded Mercury.

## PLATANACEÆ.

- Platanus*, *occidentalis*.....Button Wood, Sycamore.

## URTICACEÆ.

- Morus*, *rubra*.....Red Mulberry.  
*Laportea*, *Canadensis*.....Wood Nettle.  
*Pilea*, *pumila*.....Richweed, Stingless Nettle.  
*Urtica*, *dioica*.....Stinging Nettle.  
*U*.....*urens*.....Burning or Dwarf Nettle.  
*Boehmeria*, *cyindrica*.....False Nettle.  
*Humulus*, *Lupulus*.....Common Hop.  
*Parietaria*, *Pennsylvanica*.....Pellitory.

## JUGLANDACEÆ.

- Juglans*, *cinerea*.....Butternut.  
*J*.....*nigra*.....Black Walnut.  
*Carya*, *alba*.....Shag-bark Hickory.  
*C*.....*tomentosa*.....Mockernut Hickory.  
*C*.....*porcina*.....Hog Walnut.  
*C*.....*amara*.....Bitternut Hickory.

## CUPULIFERÆ.

- Quercus*, *alba*.....White Oak.  
*Q*.....*macrocarpa*.....Bur Oak.  
*Q*.....*Prinus*.....Swamp Chestnut Oak.  
*Q*.....*bicolor*.....Swamp White Oak.  
*Q*.....*montana*.....Rock Oak.  
*Q*.....*rubra*.....Red Oak.  
*Q*.....*coccinea*.....Scarlet Oak.  
*Q*.....*tinctoria*.....Black Oak.  
*Q*.....*ilicifolia*.....Scrub Oak.  
*Q*.....*prinoides*.....Chinquapin Oak.  
*Castanea*, *vesca*.....Chestnut.  
*Fagus*, *ferruginea*.....Beech.  
*Corylus*, *Americana*.....Hazel.  
*C*.....*rostrata*.....Beaked Hazel.  
*Ostrya*, *Virginica*.....Iron Wood.  
*Carpinus*, *Americana*.....Hornbeam. Water Beech.

## BETULACEÆ.

- Betula*, *lenta*.....Black Birch.  
*B*.....*lutea*.....Yellow Birch.  
*B*.....*populifolia*.....White Birch.  
*B*.....*papyracea*.....Canoe Birch.  
*Alnus*, *incana*.....Common Alder.  
*A*.....*serrulata*.....Smooth Alder.

## MYRICACEÆ.

- Comptonia*, *asplenifolia*.....Sweet Fern.

## SALICACEÆ.

- Salix*, *discolor*.....Bog Willow.  
*S*.....*petiolaris*.....Petioled Willow.  
*S*.....*Sericea*.....Silky Willow.  
*S*.....*viminialis*.....Basket Osier.  
*S*.....*purpurea*.....Purple Willow.

- Salix*, *cordata*.....Heart-leaved Willow.  
*S*.....*longifolia*.....Long-leaved Willow.  
*S*.....*lucida*.....Shining Willow.  
*S*.....*nigra*.....Black Willow.  
*S*.....*alba*.....White Willow.  
*S*.....*myrtilloides*.....Myrtle Willow.  
*S*.....*humilis*.....Low Willow.  
*S*.....*tristis*.....Dwarf Gray Willow.  
*S*.....*livida*.....Livid Willow.  
*Populus*, *tremuloides*.....American Aspen, White Poplar.  
*P*.....*grandidentata*.....Large-toothed Aspen.  
*P*.....*dilatata*.....Lombardy Poplar.  
*P*.....*monilifera*.....Necklace Poplar.  
*P*.....*Candicans*.....Balm-of-Gilead.

## CONIFERÆ.

- Pinus*, *resinosa*.....Norway or Red Pine.  
*P*.....*rigida*.....Pitch Pine.  
*P*.....*Strobus*.....White Pine.  
*Abies*, *Canadensis*.....Hemlock.  
*Larix*, *Americana*.....American Larch.  
*Thuja*, *occidentalis*.....Arbor Vitæ.  
*Juniperus*, *communis*.....Common Juniper.  
*J*.....*Virginiana*.....Red Cedar.  
*Taxus*, *Canadensis*.....Dwarf Yew.

## ARACEÆ.

- Arisæma*, *triphyllum*.....Jack-in-the-Pulpit.  
*A*.....*dracontium*.....Green Dragon.  
*Peltandra*, *Virginica*.....Arrow Arum.  
*Calla*, *palustris*.....Wild Calla.  
*Acorus*, *Calamus*.....Sweet Flag.  
*Symplocarpus*, *foetidus*.....Skunk Cabbage.

## TYPHACEÆ.

- Typha*, *latifolia*.....Cat-tail, Reed Mace.  
*Sparganium*, *eurycarpum*.....Bur Reed.

## NALADACEÆ.

- Zannichellia*, *palustris*.....Horn Pondweed.  
*Potamogeton*, *Claytoni*.....Clayton's Pondweed.  
*P*.....*hybridus*.....Pondweed.  
*P*.....*lucens*.....Shining Pondweed.  
*P*.....*amplifolius*.....Large-leaved Pondweed.  
*P*.....*pusillus*.....Small Pondweed.

## ALISMACEÆ.

- Alisma*, *Plantago*.....Water Plantain.  
*Sagittaria*, *variabilis*.....Arrowhead.  
*S*.....*pusilla*.....Puny Arrowhead.  
*S*.....*heterophylla*.....Various-leaved Arrowhead.

## HYDROCHARIDACEÆ.

- Anacharis*, *Canadensis*.....Waterweed.  
*Vallisneria*, *spiralis*.....Eel Grass.

## ORCHIDACEÆ.

- Microstylis*, *ophioglossoides*.....Adder's Mouth.  
*Liparis*, *liliifolia*.....Tway-blade.  
*Corallorhiza*, *odontorhiza*.....Coral Root.  
*C*.....*multiflora*.....Many-flowered Coral Root.  
*Orchis*, *spectabilis*.....Showy Orchis.  
*O*.....*psycodes*.....Purple Fringed Orchis.

## ORCHIDACEÆ.

<i>Platanthera, lacera</i> .....	Ragged Orchis.
<i>P.</i> ..... <i>Hookeri</i> .....	Hooker's Orchis.
<i>Arethusa, bulbosa</i> .....	Bulbous Arethusa.
<i>Pogonia, ophioglossoides</i> .....	Pogonia.
<i>Calopogon, pulchellus</i> .....	Grass Pink.
<i>Spiranthes, gracilis</i> .....	Ladies' Tresses.
<i>Goodyera, pubescens</i> .....	Rattlesnake Plantain.
<i>G.</i> ..... <i>repens</i> .....	Small Rattlesnake Plantain.
<i>Listera, cordata</i> .....	Tway-blade.
<i>Cypripedium, acaule</i> .....	Purple Lady's Slipper.
<i>C.</i> ..... <i>parviflorum</i> .....	Yellow Lady's Slipper.
<i>C.</i> ..... <i>spectabile</i> .....	Showy Lady's Slipper.

## COMMELYNACEÆ.

<i>Tradescantia, Virginica</i> .....	Spider Wort.
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## XYRIDACEÆ.

<i>Xyris, Caroliniana</i> .....	Yellow-eyed Grass.
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## AMARYLLIDACEÆ.

<i>Hypoxys, erecta</i> .....	Star-grass.
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## IRIDACEÆ.

<i>Iris, versicolor</i> .....	Blue Flag.
<i>Sisyrinchium, anceps</i> .....	Blue-eyed grass.

## SMILACEÆ.

<i>Smilax, rotundifolia</i> .....	Greenbrier.
<i>S.</i> ..... <i>herbacea</i> .....	Carriion Flower.

## TRILLIACEÆ.

<i>Trillium, cernuum</i> .....	Nodding-flowered Trillium.
<i>T.</i> ..... <i>erythrocarpum</i> .....	Smiling Wake-robin.
<i>T.</i> ..... <i>erectum</i> .....	Bath Flower Purple Trillium.
<i>T.</i> ..... <i>grandiflorum</i> .....	Large White Trillium.
<i>Medeola, virginica</i> .....	Cucumber Root.

## LILIACEÆ.

<i>Lilium, Canadense</i> .....	Yellow Lily.
<i>L.</i> ..... <i>superbum</i> .....	Turk's Cap.
<i>L.</i> ..... <i>Philadelphicum</i> .....	Field Lily.
<i>Erythronium, Americanum</i> .....	Yellow Erythronium.
<i>E.</i> ..... <i>albidum</i> .....	White Erythronium.
<i>Allium, tricoccum</i> .....	Lance-leaved Garlic.
<i>A.</i> ..... <i>Canadense</i> .....	Canadian Garlic.
<i>A.</i> ..... <i>vineale</i> .....	Crow Garlic.
<i>Smilacina, bifolia</i> .....	Two-leaved Solomon's Seal.
<i>S.</i> ..... <i>trifolia</i> .....	Three-leaved Solomon's Seal.
<i>S.</i> ..... <i>stellata</i> .....	Star Solomon's Seal.
<i>S.</i> ..... <i>racemosa</i> .....	Clustered Solomon's Seal.
<i>Clintonia, borealis</i> .....	Wild Lily of the Valley.
<i>Polygonatum, biflorum</i> .....	Smaller Solomon's Seal.
<i>P.</i> ..... <i>giganteum</i> .....	Giant Solomon's Seal.
<i>Uvularia, sessilifolia</i> .....	Bellwort, Wild Oats.
<i>U.</i> ..... <i>perfoliata</i> .....	Mealy Bellwort.
<i>U.</i> ..... <i>grandiflora</i> .....	Large-flowered Bellwort.
<i>Streptopus, roseus</i> .....	Rose Twist-foot.

## PONTEDERIACEÆ.

<i>Pontederia, cordata</i> .....	Pickereel Weed.
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## MELANTHACEÆ.

<i>Melanthium, Virginicum</i> .....	Bunchflower.
<i>Veratrum, viride</i> .....	White Hellebore.

The class of plants known as *Cyperaceæ*, or *Sedges*, are well represented in the county, but as they are in general little used for food or in the arts, no special notice or arrangement of the different species will be given. Their coarse herbage is often eaten by cattle, yet they are quite destitute of the sweet and nutritious properties of the grasses. Of so little value, apparently, their abundance seems to authorize the belief that they subserve some important purpose in the economy of nature. The sedges grow in almost all localities, but are more common in the meadows, marshes and swamps.

The *Gramineæ* or *Grasses*, are universally diffused, having no other limits than those that bound vegetation in general. But the species and their characteristics are widely different as affected by climate and cultivation. This family of plants contribute more to the sustenance of man and beast than all others combined. Their sweet and nutritious properties reside both in the farinaceous albumen of the seed and in the herbage. To this order belong the several kinds of grain and grass that are cultivated in the county. The stems of many grasses contain sugar in variable quantities.

The grains usually cultivated are *Triticum sativum*, *Winter wheat*; *T. æstivum*, *Spring wheat*; *T. compositum*, *Egyptian wheat*; *Secale cereale*, *Rye*; *Hordeum vulgare*, *Barley*; *H. distichum*, *Two-rowed barley*; *Avena sativa*, *Common oat*; with the varieties *Black* and *Horse-mane oats*; *Zea Mays*, *Maize* or *Indian corn*; *Sorghum saccharatum*, *Broom corn*.

The most important of the cultivated grasses are *Phleum pratense*, *Timothy*; several species of *Poa*, *Spear grass*, *Rough meadow grass*, *Blue grass*, *Meadow red-top*, *Dactylis glomerata*, *Orchard grass*; *Agrostis*, *Red-top*, *White-top*, *Bent-grass*, and some others. The genus *Festuca* gives *Slender fescue*, *Tall fescue*, *Meadow fescue*, and *Hard fescue grass*. Other common grasses are *Hair grass*, *Red* or *Blue-joint*, *Fox-tail*, *Finger grass*, *Wild timothy*, *Seneca* or *Sweet Vernal grass*, and *Chess* or *cheat*.

*Filices* or *Ferns* are a large and interesting order of flowerless plants—admired for their elegant, graceful and plume-like foliage and distinguished by their remarkable method of reproduction, the organs of which, examined with the aid of a good lens, cannot fail to interest the student. Their

locality is scarcely limited by geographical lines. The more common species grow upon hard mountain soil and in swamps or moist woods. Their economic uses are limited, so far as now known, to their medicinal properties. They are much sought and cultivated for ornament.

*Polypodium vulgare*, *Common polypod*; *P. Phegopteris*, *Triangular polypod*; *Aspidium acrostichoides*, *Christmas fern*; *A. Thelypteris*, *Marsh shield fern*; *A. marginale*, *Marginal shield fern*; *A. dilatatum*, *Broad shield fern*; *Asplenium ebeneum*, *Ebony spleenwort*; *A. Trichomanes* *Dwarf spleenwort*; *A. Angustifolium*, *Narrow-leaved spleenwort*; *A. Ruta-muraria*, *Wall-rue spleenwort*; *A. Filix-fœmina*, *Lady fern*; *Woodsia Ilvensis*, *Rusty Woodsia*; *Pteris aquilina*, *Common brake*; *P. atropurpurea*, *Rock brake*; *Adiantum pedatum*, *Maidenhair*; *Dicksonia pilosiuscula*, *Fine-haired mountain fern*; *Osmunda cinnamomea*, *Cinnamon-colored fern*; *O. regalis*, *Royal-flowering fern*; *Cystopteris bulbifera* *Bulb-bearing Cystopteris*; *C. fragilis*, *Brittle fern*; *Onoclea sensibilis*, *Sensitive fern*—are among the ferns found in Albany County.

The *Equisetaceæ* or *Horsetails*, (Rushes), an order of vegetables growing in wet grounds, on river banks and borders of moist woods, are represented in the county by *Equisetum hyemale*, *Scouring rush*; *E. arvense*, *Field horsetail*; *E. limosum*, *Pipes* and *E. sylvaticum*, *Wood horsetail*.

Of the *Lycopodiaceæ* or *Club mosses*, we have *Lycopodium clavatum*, *Common club moss*; *L. complanatum*, *Ground pine*; *L. Dendroideum*, *Tree club moss*; *Selaginella rupestris*, *Rock club moss*.

#### NATURAL HISTORY.

**QUADRUPEDS.**—Two hundred and seventy-five years ago, in ascending the noble river that bears his name, Henry Hudson saw upon its banks a race of people clad in rude garments and armed with the ancient bow and arrows. They were natives of the forest; and, like the animals about them, wild, fierce and savage. The early immigrants to this country met the same wandering natives of the woods, and with them the wild beasts that roamed both hill and valley, a terror and dread by day and by night. Where are they now? The laws of civilization, the ax and the plow, have wonderfully interfered with their rights and destroyed their freedom of domain. No more is heard in our county of the savage war-whoop of the Indian, the ferocious bark of the wolf, the piercing cry of the wild cat, the growl of the bear, or the plaintive bleat of the deer. These animals, once common in the county and familiar to the

early settlers, have disappeared. No longer does the beaver afford profit or amusement to the hunter. The otter, too, has gone, and with it the hedge-hog and the porcupine. Two years ago, near the farm of Hon. Erastus Corning, a porcupine was shot, which is preserved as a specimen in the Museum of Natural History, at Albany. The noble bison and elk, monarchs of the forest, if they once roamed our forests in freedom, as some believe, have sought more secure and favored retreats.

Among the primitive quadrupeds yet to be found in the county are the fox, raccoon, woodchuck, skunk, grey and white rabbit, muskrat, mink, weasel, grey and red squirrel, striped and flying squirrel, mole, mice of several kinds; all insignificant as compared with those proud occupants of our old forests.

**BIRDS.**—The birds form no small part of the natural history of the county. Many of them, with their joyous songs, are welcome harbingers of spring, assuring us that the icy fetters of winter are broken, that the mild rays of the vernal sun will soon warm the earth. The husbandman is made glad when he hears the first note of the blue-bird, the rapturous music of the robin, or the mellow call of the whip-poor-will.

Among our rapacious birds are the great hen-hawk, goshawk, pigeon-hawk, shrike or butcher-bird, the grey, horned and barn owl, crow, great blue heron, small heron, bittern and kingfisher. But few game birds are found in the county, and these are protected by stringent laws. During the few months in which they can be *legally* killed, the huntsmen seem to have no thought for the future, but are so reckless that few remain for the next season's reproduction. Partridge, woodcock, snipe, plover and, rarely, a quail, with an occasional meadow lark, comprise the list.

Among the song birds are the robin, golden and orchard oriole, brown and wood thrush, cat-bird, bobolink, bluebird, grey and hedge sparrow, chirp and yellow bird, titmouse, red and black-winged phoebe, bluejay, kingbird, blackbird, barn, chimney and mason swallows, several kinds of woodpeckers, crested tit, house wren, cuckoo, dove, whip-poor-will, night-hawk and several varieties of the humming-birds, and the cedar or cherry bird. The habits of these birds are as various as the classes they represent. The greater number are migratory, arriving here during the spring months. The first to leave is the bobolink; others follow at irregular intervals. Almost the last to leave for a more genial clime is the

robin. The indiscriminate and wanton destruction of our harmless birds by the ruthless sportsmen is having a marked effect upon the increase of insects and worms, injurious to vegetation.

**FISHES.**—The creeks running through the county, as well as the Hudson, early abounded in fish. Pike and sturgeon were caught even in Fox Creek, now filled up or used as a covered sewer. A sturgeon was sold for a knife in that early day. Salmon has rarely been found in our river, the fish preferring clearer, rocky rivers, like the Connecticut and Kennebec. Herring once made Saratoga Lake their grand rendezvous, and were in plenty. The dams have turned them away. Shad and bass are not plentiful so far up stream as our county for lack of suitable accommodations; but they are abundant in the river, as are also the usual variety of small fish. Trout was once very abundant in the clear streams of the county.

The sharp-nosed sturgeon, caught in the Hudson, is from four to eight feet in length, and varies in weight from 100 to 450 pounds. A few years ago one was caught weighing 486 pounds. The annual catch commences in April and continues into the autumn. This fish is caught in most of the fishing places from New York bay to Troy, and is a great favorite in the river towns. It is sometimes called "Albany beef." Its oil is used for the same purpose as sperm oil, and in the treatment of cuts and bruises. A favorite place for spawning was once at the bottom of Cohoes Falls. Its roes or eggs furnish one of the most alluring bates to the angler, as bass and many other fish delight in them for food.

**REPTILES.**—Of snakes there are very few, and of the poisonous class none. The rattlesnake, once so common in the county, is no more to be dreaded.

The list comprises the black-snake and chaser, milk, water, garter and green snakes. Some lizards, newts and toads of several varieties are found.

**ENTOMOLOGY.**—Varied as are the subjects connected with the Natural History of Albany County, that of entomology is not the least. Many insects are known to be injurious to trees, shrubs and plants under cultivation; many are destructive to domestic fabrics, and in many ways are pests in the house, in the garden, and in the field and forest. A knowledge of their history, habits, character, propagation and natural enemies, with practical suggestions for their control, and the best means and remedies for their destruction, should be of much interest and value.

The Entomological History of New York State was under the supervision of Dr. Fitch for many years, who made very extensive collections in Albany and Washington counties. For ten years after Dr. Fitch's death no work was done by the State in that branch of natural history, and much valuable time was lost.

In 1870, the work was resumed by Dr. J. A. Lintner, who was appointed State Entomologist. For the last fifteen years, large and extensive collections have been made by him and his associates for the State collection, for private cabinets, and for distribution in various parts of the United States and in Europe.

Albany County has a favorite insect-collecting ground at the "Center," on the N. Y. Central R. R., a few miles North West from Albany. This also affords many plants for the botanist not obtained anywhere else. The *Scientific American* says, "The butterflies—*Lepidoptera*—collected in this place are more extensive than in any other locality." This is one of the localities in the State where the 17 year locusts, *Cicada-Septemdecim*, will appear in 1885.

Dr. Lintner has given special attention to the many injurious species, in order to counteract their ravages and confine their area of depredations by proper remedies, and to the best means for their eradication. The subject is one of great interest to the farmer and the cultivator of every species of plant-life. Flies, beetles, moths, worms, etc., are the bane of the progressive agriculturist, who is constantly subjected to the ravages of these pests. Our space allows only a brief notice of a few of the more injurious pests that are common in the county.

The wheat-midge, *Diplosis tritici*, was formerly very destructive, but of late years its effect upon the wheat crop has not been perceptible. The apple-tree borer, *Saperda candida*, and the peach-tree borer, *Egeria exitiosa*, are so common to the orchardist that they need no special description. Unless they meet with constant warfare, the trees in time succumb to their work. In May and October every tree should be carefully examined, and if any *bark-dust* or *gnawings* are seen at the foot of the tree, use a sharp knife and destroy the grub; or, with a wire, follow the channel made, and put an end to further progress.

To prevent eggs being deposited, a shield of tin or tarred paper may encircle the tree for 18 inches in height.

The injuries of the currant worm, *Nematus ventricosus*, have been quite severe with the currant and gooseberry crop; but it has had a vigorous attack

made upon it by a minute parasite, which oviposits in its eggs and destroys them, and has thereby done very much towards arresting its ravages. Among the remedies most potent for the destruction of the currant worm is Persian insect powder, or *Pyrethrum*, and powdered Hellebore dusted upon the leaves when moist with dew or rain. The Hellebore may be used mixed with water, and sprinkled from a water-pot having a fine rose.

The Colorado potato-beetle, *Doryophora 10-lineata*, made its appearance in Albany County in 1874, since which time it has been a plague to the farmer. With perseverance and occasional application of Paris-green incorporated with ground plaster, or thoroughly mixed with water, the ravages of the grub can be controlled. It has many enemies; nearly 30 other insects prey upon it.

The carpet beetle, *Anthrenus scrophularie*, received its first scientific notice in this country by Dr. Lintner, of Albany, in the year 1876. From examples taken in Schenectady, its true character was first ascertained, and its habits and life-history established. It has been very abundant and destructive in Schenectady and Albany, in the latter city abounding in the early summer upon umbelliferous plants in Washington Park. Its distribution through the State and other States is rapidly extending. Every effort should be made to arrest its spread by the free use of benzine in its haunts.

The white-marked tussock moth, *Orgyia leucostigma*, has been a great pest in Albany and Schenectady for a number of years, having, at times, almost defoliated the elms and horse-chestnuts of our streets, and the plum-trees of our gardens. It is believed that the great increase of this pest in recent years is due to the introduction of the English sparrow, which makes war upon and drives away the few birds that feed upon the hairy caterpillars, of which the *Orgyia* is one.

Another pest that has been quite destructive of late years, is the rose-bug, or *Macrodactylus subspinosus*.

The cabbage worm—larva of a butterfly, order *Lepidoptera*—was first noticed in Albany County by Dr. Lintner, in July, 1870. It was introduced into this country about 1857. It came to Albany and vicinity in July 1870. This butterfly is the bane of every cabbage grower, and its larva is the dread of every cook. It is a voracious eater, and great numbers of worms are often found in a single head of cabbage. The natural enemy of the chrysalides is the larva of a minute parasitic fly, known as *Pteromalus puparum*. Another parasite of the cabbage worm is known as *Apanteles congregata*.

Another parasite is the larva of a two-winged fly, belonging to the genus *Tachina*. This *Tachina* has been bred in considerable numbers by Dr. Lintner.

The following remedies for the cabbage worm are used: hot water, 130° Fahrenheit, the water to be boiling hot, when put in the watering-pot; Pyrethrum, or Persian insect-powder, half-ounce, with two gallons water, or half an ounce mixed with some dry substance, and sprinkled on the cabbage.

There are many hedges of spruce in Albany County, and the tree is extensively planted for shade and ornament; therefore, it may be well to notice an enemy, recently discovered, which has proved to be very destructive to the spruce and fir trees. It is called elsewhere the *Spruce-bud Tortrix Fumiferana*. Besides climatic causes, the spruce is likely to meet with the ravages of this new enemy; and if once introduced, our hedges will be at their mercy. It has appeared in the State already. The defoliation of spruce-trees is sufficient either to kill the trees outright, or so weaken them, that bark-boring beetles can complete the work of destruction. Trees attacked by these caterpillars look as if a light fire had passed through them. It feeds upon the leaves or needles of the terminal shoots, and while at its work scarcely alters the appearance of the tree, and its presence is known only when the worms are abundant enough to defoliate the trees.

The imported elm-leaf beetle, *Gallerucella Xanthomelana*.—The depredations of this pest have become widely extended throughout the North eastern States, preying upon the elms. The eggs are deposited in an upright position upon the under side of the leaves, generally in two, more or less irregular rows. The eggs are close together and firmly fastened to the leaf; they vary in number from four or five to twenty-five; in shape, oblong, oval, obtusely pointed at the tip, and of a straw-yellow color. The duration of the egg-state is about one week. The larvæ are destructive to the foliage from May to August, and have about two weeks of active life between the egg and pupa state. During this time they devour the leaves, which become skeletonized. The beetle assists the worms in its destructive work, but the worms do the most damage. In the month of September the beetles prepare for hibernation, seeking shelter in hollow trees, in the ground, under old leaves, and remain dormant until the following spring. The remedies recommended are many—such as tarring the trees, oil and tar gutters around the base of the tree, hot water and tobacco juice, arsenical preparations, Paris-green, London purple, in pro-

portion, one-half pound, flour three quarts, and water 40 gallons.

In the wide range of insect life few forms possess a greater vitality than is found among the bark-lice, and none are more readily transported upon plants from place to place, and from one country to another. Among the remedies the following is one which was proved in practice useful when a moderate quantity of emulsion is required :

Kerosene two gallons, common soap or whale-oil soap one-half pound, water one gallon. Heat the solution of soap and add it boiling hot to the kerosene. Churn the mixture thoroughly, which, when cool, forms a thick cream ; dilute, before using, one part of the mixture with nine parts of cold water. The above gives three gallons of emulsion, and makes, when diluted, 30 gallons of wash. The percentage of oil can be considerably increased, as can also the amount of soap, without danger to most trees or plants. Kerosene differs from most other remedial agents in being entirely harmless to tender young growths, blossom buds and young fruit, if properly diluted. It may therefore be applied to bearing trees at seasons when other insecticides would cause more or less loss of growth and of fruit. The most favorable season for applying kerosene washes is, undoubtedly, early spring, as soon or as all danger of frost is past.

The reports of Prof. Riley, of the Department of Agriculture, and of Prof. J. A. Lintner, State Entomologist, have been very helpful in the preparation of this section. Much more might be added, if our space would allow.

#### METEOROLOGY.

The principal timber or trees yet growing upon the hills and in the small patches of forest are pines, white, yellow and pitch ; oaks, several varieties ; maples, birch, beech, elm, hemlock, chestnut and hickory ; on the sandy regions, dwarf species of evergreen trees. Red cedar grows to a limited extent in several localities, particularly

upon rocky wastes. The law of demand has asserted its prerogative in the general physical characteristics of the county, which is well illustrated by the rapid denudation and recent destruction of forests for the requirements of modern progress and internal improvements. While these add largely to the wealth of the country, agriculture is in a measure deprived of its greatest need, an abundant rainfall. The one thing essential to fertility is a constant supply of water, and this is supplied by condensation from the atmosphere, which appears in the form of snow or rain, depending upon the temperature and surrounding physical condition of the locality. When we estimate the number of acres of forest that are required for fuel and building material, and the almost unlimited demand made to supply the railroads, we can readily see how, in a few years, the whole character of the climate and productions of a region may be changed by the destruction of its forests. Trees, with forest vegetation, perform an important function in the great economy of nature. They furnish natural barriers against sudden floods ; their roots permeate the soil, and thus prevent torrents from sweeping away the soil and conveying the accumulated *debris* in heaps upon the cultivated land. The foliage of the trees, which present such an immense surface, condenses the atmospheric moisture, which would otherwise be taken on the aerial currents and carried away. Physical geography demonstrates this fact, that the destruction of forest growth diminishes the amount of rainfall in that region. In accordance with natural laws, the fertility depends, in a great degree, upon this. Therefore, to destroy the forests is to diminish one of the great sources of productiveness of the soil. It is clear, therefore, that the destruction of the forests has a direct influence upon agriculture, by diminishing the quantity of rainfall, inducing drouth by uninterrupted rays of the sun, and by the wind currents which meet with no obstructions and cause less deposit of moisture.

Under this head other facts of interest will be given in the history of the City of Albany.

Table showing monthly rainfall and mean temperature, for each month of the year, from 1874 to 1884, inclusive, as obtained from the records of the "United States Signal Service," at Albany, kept by Major John O. Barnes.

## RAINFALL.

	1874.	1875.	1876.	1877.	1878.	1879.	1880.	1881.	1882.	1883.	1884.
	Inches.	Inches.	Inches.	Inches.	Inches.	Inches.	Inches.	Inches.	Inches.	Inches.	Inches.
January.....	3.61	2.14	1.57	1.95	4.45	2.54	2.96	2.86	2.64	2.43	2.98
February.....	2.90	1.65	4.09	0.36	4.12	2.80	2.67	2.50	3.31	3.00	3.85
March.....	1.97	3.27	4.28	3.33	2.18	3.79	2.17	3.80	1.79	1.77	4.00
April.....	4.97	3.36	3.51	1.42	3.99	3.17	2.75	1.54	1.27	2.65	2.09
May.....	2.32	2.57	2.96	2.77	3.65	0.89	3.38	3.90	4.15	3.20	2.79
June.....	4.71	3.98	4.40	4.60	4.54	4.62	2.21	3.76	3.98	6.30	1.80
July.....	6.78	2.46	4.97	4.00	5.52	5.10	3.78	2.22	3.97	5.96	5.04
August.....	1.94	6.55	0.53	4.57	3.37	4.25	2.84	2.07	1.38	3.69	5.27
September.....	4.01	2.63	5.17	1.82	3.20	3.47	2.86	2.38	7.79	3.19	1.80
October.....	1.77	5.97	1.64	7.86	3.37	1.24	2.45	3.19	0.27	3.49	2.64
November.....	2.19	2.29	2.65	2.70	4.43	2.56	2.49	3.44	0.97	1.14	3.44
December.....	0.76	1.11	2.42	0.71	6.16	4.23	2.01	4.88	2.24	2.55	3.20
Total for year.	37.93	38.25	38.19	36.09	49.37	38.56	32.54	36.32	33.76	39.37	38.90

The greatest rainfall for any year was in 1878. The least rainfall in 1880. The greatest rainfall for any month was October, 1877. The least for any one month was October, 1882. The total rainfall for the full ten years was 380.38 inches, and the average yearly rainfall for 10 years was 38.038 inches.

## TABLE OF MEAN TEMPERATURE AS RECORDED AT ALBANY BY U. S. S. S.

	1874.	1875.	1876.	1877.	1878.	1879.	1880.	1881.	1882.	1883.	1884.
	Degs.	Degs.	Degs.	Degs.	Degs.	Degs.	Degs.	Degs.	Degs.	Degs.	Degs.
January.....	28.2	14.5	29.2	17.1	23.1	17.9	30.8	19.8	27.4	23.3	23.6
February.....	22.2	15.3	24.8	28.8	24.3	19.3	28.3	27.2	32.6	28.7	33.0
March.....	32.2	26.4	29.9	30.4	38.4	30.5	32.7	38.8	38.8	30.1	35.8
April.....	36.6	39.1	42.9	46.3	51.5	42.0	49.7	47.0	47.0	47.3	47.8
May.....	56.5	57.3	57.1	57.5	56.5	60.8	66.4	65.3	55.9	59.1	59.1
June.....	66.9	66.9	71.5	68.2	65.0	66.0	71.8	65.1	69.0	72.0	72.5
July.....	69.9	69.8	73.7	71.8	73.6	71.1	74.9	73.9	73.8	72.8	70.7
August.....	66.8	70.7	72.7	71.8	70.2	67.9	70.9	73.5	73.0	69.9	72.6
September.....	63.1	58.5	59.1	63.8	63.7	59.6	64.9	71.7	65.1	61.2	67.5
October.....	48.8	46.4	46.0	49.5	52.4	58.9	51.4	55.1	56.4	50.9	51.3
November.....	36.4	31.8	39.5	40.4	37.8	37.3	37.8	43.5	41.4	44.0	38.4
December.....	28.0	26.8	17.2	31.3	27.7	28.6	25.2	38.7	31.2	31.0	27.8
Average for each year.....	46.3	43.6	46.9	48.1	48.7	46.7	50.4	51.4	51.0	49.2	50.3
Highest in the year.....	92	90	93	92	92	91	93	96	92	94	92.2
Lowest.....	16	18	8	7	18	8	10	10	14	8.5	15.9

Average temperature for ten years, 48.23 degrees. The highest temperature for any year was 1881, and the lowest, 1875. The coldest month was January, 1875. The coldest days were in 1875 and 1878. The hottest month was July, 1880. The hottest day was in 1881.

### THE IROQUOIS INDIANS.

The early history of Albany County, like that of every section of our country, is more or less intimately connected with that of the aboriginal Indian. When the *Half-moon* first entered the "great river" which gives, "as long as water runs," immortality to the name of Hudson, it met hostility and murder from the savages that dwelt around its lower waters. Sailing up the river, a few days later, with the same ship and crew, it is recorded of the savages that "we found very loving people and very old men, where we were well used." These Indians belonged to two great families. The former were of the Algonquins or Adirondacks, of which the Manhattan and the Delaware tribes occupied the territory about New York City and the valley of the Delaware River. With these the early settlers upon Manhattan and Long Island and the lower Hudson Valley had much trouble, involving destruction of property and barbarian devastation and murder. The latter were called Iroquois by the French; Five, afterward Six Nations, by the English; and, by themselves, Aquanuschioni, signifying a united people, or Ongue-houwe, a superior people. These were divided into tribes, under the separate names of Mohawks, Oneidas, Onondagas, Cayugas and Senecas, to which were added later the Tuscaroras.

At the time the early traders came up the Hudson, these tribes claimed most of the territory now constituting the State of New York and a portion of Pennsylvania, as their hunting grounds. Here they had their villages, and the lands they claimed as their own. No one could tell how they came here or when. They were distinguished above all other Indians of North America for intelligence, eloquence, endurance and cruelty. But they received the early Dutch traders in the most friendly manner, and for a great many years retained with them most peaceful relations in trade, even while carrying on war with others in a spirit of implacable revenge, with all the varieties of torture and barbarity of which the race was capable.

A firm and lasting treaty of alliance and peace, it is said, was made between the great confederacy of the Five Nations and the Dutch, in 1618, as before suggested, on the hill Tawasagunsee, near the banks of the Tawalsontha Creek, now Norman's Kill, just south of Albany. There was no love between these contracting parties, any more than is usual between nations who make politic treaties of amity and commerce. It was a contract of selfishness and shrewdness. And as long as it was mutually advantageous it was unbroken.

Let us explain the circumstances. The Dutch came here for money-making. They saw a rich mine in the fur trade. The Indians knew the places of the beaver and the otter, and how to place their furs in the hands of these eager traders. They, in turn, desired the European trinkets, the white man's fire-water, and his fearfully destructive fire-arms. These mutual interests would best be secured by mutual peace and helpfulness.

These Five Nations—made Six Nations by the accession of the Tuscaroras in 1714—had formed a confederacy of tribes long before this date. The Mohawks were the most powerful; the Onondagas kept the great council fire ever burning, near where now is the City of Syracuse. They all had their villages and patches of ground, where dwelt their squaws, who cultivated corn, peas, beans, potatoes, melons, and cared for the infant papooses. They also had rude castles, made with palisades and brush work. The Mohawks, as told to us, had five castles in 1630, viz.: Moenemines Castle, situated on Haver Island, at the mouth of the Mohawk River; one at Schenectady; one at Fort Hunter, at the outlet of Schoharie Creek, called Ticonderoga; one in the present town of Mohawk, called Caughnawaga; one, the great castle, in the present town of Danube, called Canajoharie. At this time they numbered about 600 warriors. While their castles were on or near the Mohawk, their ownership in the soil extended, on the west side of the Hudson, as far south as the Catskills, north to the Canadas, and west including the present counties of Saratoga, Schenectady, Montgomery, Herkimer, Schoharie, Otsego, Greene and Albany. The Oneidas and Cayugas were understood to be the younger members of the confederacy. The Senecas dwelt farthest west, and were remarkable for their fierce and implacable nature. When first known to Europeans, they were unitedly engaged in war with nearly all the surrounding tribes.

These confederates did not unite in the interest of peace and progress, but for war and revenge. Of all employments, war was their delight. Nothing was sweeter to them than revenge. They were cunning and daring, alert and brave, unfeeling and cruel. With the war club, the tomahawk, the bow and the arrow, rude weapons of war, they had carried terror to the wilds of Canada; had gained victories on Lake Huron; had made tributary the Delawares and the Mohegans, and had, with unfeeling arrogance, brought into submission the weaker tribes in their reach, and, by reckless courage and formidable numbers, com-

manded the respect and awe of most of the powerful tribes from the Mississippi to the Atlantic. Such was the state of things when Samuel Champlain came up the beautiful lake that bears his name, only about two months before the Mohawks so lovingly welcomed Hudson. At this time the Iroquois were waging relentless war with the Hurons and Adirondacks. Entering into an alliance with these Canada tribes, Champlain furnished them with fire-arms and taught their use. The astonished Iroquois found themselves defeated in almost every encounter. They were humbled. Smarting under disgraceful defeat, they hailed the advent of the Dutch with delight, as a new people coming among them with the terrible enginery of powder and guns, as against the arrow and the tomahawk. They cultivated their friendship, and aided their enterprises with alacrity. Such were the circumstances that led to that treaty on the banks of the Norman's Kill, which, as tradition has it, was early made between the Dutch and the Iroquois. By this treaty, the Dutch secured for themselves the quiet possession of the coveted Indian trade, and the Six Nations obtained the means to assert that ascendancy which they long after maintained over neighboring tribes, inspiring terror, far and near, among the other savages of North America.

Delighted with their improved weapons of death, the Iroquois put them in immediate use. They had at least 3,000 warriors; they were free men and united; they were at home in their well-trodden warpaths, hunting grounds and wilderness fastnesses. Champlain was compelled to retreat from his invasions into the Mohawk territory. The Hurons were pursued without mercy, and entirely dispersed; the Eries were extirpated, leaving as their monument their name only upon the beautiful lake on the shores of which they dwelt; and the more formidable Andastes were blotted from existence. New France, with its allies, for many years suffered from their menaces, incursions and sanguinary conflicts. Even Quebec, its leading city, was threatened with devastation.

The policy followed by the early Dutch traders of Albany was well adapted to attach the Indians to them. It appealed to their self-interests. It aided them in their favorite pursuits of hunting and war. It gratified their love of trinkets and ornaments; it gave them strong water to drink, powder and guns, knives and hatchets. It restrained none of their vices or habits of cruelty when they did not interfere with the profits of trade. The English successors of the Dutch con-

tinued their policy. The unprovoked attack of Champlain upon the Iroquois in 1609 engendered intense hatred towards Canada and the whole French race and its allies for long years. No opportunity for revenge was neglected. In the contests for territory that followed, with slight interruptions, until the fall of Quebec in 1759, and the surrender of the North American possessions of the French to the English, the Six Nations were, with few exceptions, faithful friends to the English colonies, shielding them on many occasions from hostile attacks, and aiding them in the hour of battle.

Whatever, then, relates to their history is pertinent to the history of Albany County.

During all this period—extending over 150 years, until the Revolution—the Mohawks generally continued the friends of Albany, remembering the belt of peace, the token of eternal union, given and received on the banks of that romantic stream. As the oldest, bravest and most powerful of the confederate tribes, they shaped their general policy and conduct. Most warlike, rapacious, treacherous and cruel, they were, it must be seen, kept on terms of peace and friendship only from motives of fear, want, self-preservation and vanity.

They were a protection against the warlike tribes on the north, east and south, because all stood in fear of them. To them these tribes were in subjection; to them they paid tribute as a token of servitude.

It is well known that the Mohawks of Caughnawaga were seduced by the French about the year 1671, and removed to Canada. It was these Indians who visited Schenectady with the French, February 8, 1690, desolated the village in the night by fire, and murdered and carried captive its peaceful inhabitants. This event deeply stirred the people of Albany, and taught them more fully how little reliance they could place upon these savages, uncontrolled by self-interest, unrestrained by fear. Nothing but a belief that the city was well protected and prepared against them prevented these vandals from making a like attack upon Albany. Indeed, it is believed that the expedition was planned in Canada and undertaken against Albany. But the severe cold, deep snows, long march and hunger, led them to change their plan and fall upon the nearer and weaker town of Schenectady.

Except these few, then, who were led by the French Jesuits to remove to Canada and join the interests of the French, the Iroquois were true to the Dutch; and, after the government passed into

the hands of the English, they adhered to the "Corlear" or British interests against the "Yonondio" or French nation. They continued to do all in their power against the Canadian Indians and the Canadian towns until the fall of Quebec brought them in subjection to Great Britain. Thus they proved serviceable to the colonies up to the time of the American Revolution. During this dark and painful struggle with the Mother Country many of them, under the influence of Sir John Johnson, Guy Johnson, Joseph Brandt, the Butlers and other Tories, became a terror to their former friends, and carried fire, devastation and murder into many new settlements. The story of Cherry Valley and of the Valley of Wyoming records their savage cruelty; and many homes in the Valley of the Mohawk, of Schoharie, of the Delaware and the Minnisink witnessed their base treachery and pitiless murders. "The whole confederacy," says De Witt Clinton, "except a little more than half the Oneidas, took up arms against us. They hung like the scythe of death upon the rear of our settlements, and their deeds are inscribed with the scalping knife and the tomahawk, in characters of blood, on the fields of Wyoming and Cherry Valley, and on the banks of the Mohawk."

The Mohawks, once sustaining the most intimate relations with the Dutch and English colonial fur traders, were the most active and cruel enemies of the Americans in these bloody scenes. Thayendanege, known as Col. Joseph Brant, a Mohawk chief, educated by Sir William Johnson in the Lebanon school, under the wise and pious Wheelock, was their leader. They were obliged, at the close of the Revolution, to leave the State and take refuge in Canada. Most of the Oneidas were true to the Colonies through the influence of that wise and good man, Rev. Samuel Kirkland, who came among them from Connecticut as a missionary, in 1769. He was aided by the chief Shenandoa, who was greatly attached to him. Some of the Tuscaroras also took sides with the Colonies. The fragments of the great confederation that remain are entirely changed in character and habits. They have lost their ancient power and their prestige.

These New York Indians, who were led by Tory gifts, promises and lying statements, to take sides against the colonists in favor of the King of Great Britain, gained no advantage. They lost most of their best warriors and their lands, and have since been poor outcasts. This they saw at the close of the war, and expressed deep regrets at their folly.

Brant died on the west shore of Lake Ontario in 1807, expressing regrets at many of his deeds of cruelty, and endeavoring to persuade the historian to remember that he was far better than his Tory and British associates. Shenandoa died in the Christian faith in 1816, at the age of 110, and was buried by the side of his beloved Kirkland, that he might "go up with him at the resurrection." Red Jacket, Corn Planter, Farmer's Brother, Half Town and Big Tree, after the Revolution, were true and faithful allies to the United States. Their conduct inspired respect, and brought much sympathy and favor towards their nation, the Senecas.

The aggregate number of the Iroquois confederacy at the time when the Hollanders first began trade on the Hudson is estimated at about 40,000. Of their descendants probably not more than 5,000 remain. A very small remnant, weak, dependent and peaceable, remain in this State. In the State Census of 1875, only one was found in Albany County, and none in Rensselaer, Saratoga, Schenectady, Montgomery and Schoharie.

It is worthy of remark that the County of Albany was exempt from depredations by Tories and Indians during the entire War of the Revolution, while all around, in the old Tryon and Schoharie Counties, the settlers were kept in almost constant fear of sudden invasion and carnage. The only exception occurred in the present town of Berne, near Schoharie County, where the Dietz family of eight persons were murdered or taken captives by the Indians. This was done, it is presumed, by a misunderstanding, or from private revenge.

This deliverance is generally attributed to the fact that the county abounded in Tories, who had here their rendezvous in caves and out-of-the-way houses, and were in constant communication with the Tory leaders of these savage bandits. By the aid they rendered them, good will and personal safety were secured. Along and near the valleys of the Mohawk and Schoharie were twenty-four forts environing the county. These were only a partial defense. The City of Albany was well protected by forts and arms.

#### INDIAN LANDS.

As the only object of those who first came to this region, as is well known, was trade with the Indians, no land was called for except what was needed for trading posts. We have no mention of any purchases of territory here before the initiatory steps to the settlement of Rensselaerwyck were taken. Before this the natives attached no value to land, if so be that their own pursuits were not im-

peded. We take it that they were delighted to see the trader's cabin, his trading house and his rude fort, and never thought of invasion of their own rights so long as trade was free and profitable—so long as they could obtain clothing, rum, guns and trinkets in return for corn and beans, venison and beaver. The forts on Castle Island, on the Tasawantha and Fort Orange were, we think, erected without formal consent and held by peaceable possession. They were obtained by good will, good hopes and politic presents. The servants of the Netherland companies came on hire, not to stay—came only as agents of adventurers, and had no need to own land. They were temporary squatters. Their shelters were traders' tents and hunters' camps.

Thus it was, probably, until about 1630. When the charter of privileges and exemptions was made in 1629, for the encouragement of colonization in New Netherlands, by making conditional grants to patroons who would take certain lands and occupy them with settlers, Kilian Van Rensselaer purchased the titles of the Indians as his potent and wise policy dictated. The territory selected by him occupied twenty-four miles on each side of the Hudson River, and extended twenty-four miles up and down the river, including all of Albany County and most of Rensselaer and a part of Columbia County, as they now exist. This grant was understood by the patroon to include also Fort Orange and Beverwyck, and so it was subsequently decided by the English Crown. This claim was given up by the patroon before Albany was chartered as a city in 1686. All other land titles in this county, it is believed, are derived from the manorial rights thus purchased from the agents of Kilian Van Rensselaer. By the terms of this grant they extinguished all Indian claims.

#### THE INDIAN IN EDUCATION AND CHRISTIANITY.

As early as 1642, a French Jesuit visited the Mohawk settlements with the pious design of introducing the Christian religion, and the patriotic purpose of bringing over the Mohawks to the interests of the French. Several other of these persevering missionaries followed this pioneer during the succeeding 40 years, and labored with a fair measure of success, amid great hardships. As previously stated, in 1671 a large number left the Caughnawaga Castle and removed to Canada, where their descendants may be found to this day in an Indian village a little above Montreal. They still

speak the Mohawk dialect, and have devotional books printed in that language.

French missionaries were found among all the Indian tribes at an early date after the discovery of Canada, many of them talented, learned, devoted and pious. They endured much from destitution, wearying toil and even suffered death, while endeavoring to convert these savages to the religion of Jesus. These were in a condition of heathenism, and capable of inflicting pitiless revenge and barbaric cruelty upon their prisoners. Many were reckoned as converted and received baptism. But few learned to forgive their enemies or to leave off, for a long time, the vices and habits of their usual lives of degradation and wickedness. Yet, it is believed that some did, indeed, receive the benignant influences of the lessons of the Saviour of Men into their hearts, and lived better lives.

The Dutch and English clergy, also, endeavored to teach Christianity to the Indians, but their success was no better than that of the Catholics, unless it was preceded by civilization, education and good examples. Unfortunately, but little was thought of making the Indian a better man by most of the mercantile men of colonial days. To make him serviceable in trade and in war seems to have been the leading policy of the European colonists of every nation and religion.

Says Peter Kalm, in 1749, speaking of Indian conferences at Albany: "Sometimes their deliberations turn upon their conversion to the Christian religion." Then he goes on to tell—as an indication of the Indian feeling at that time—that Gov. Hunter, on one of these occasions, after he had presented the Indians with many clothes and other gifts in the name of Queen Anne, told them that their good mother, the Queen, had not only generously provided them with clothes for their bodies, but likewise intended to adorn their souls by sending them good ministers to teach them the gospel. Upon this announcement one of the oldest sachems arose and replied that, in the name of all the Indians, he thanked their gracious mother, the Queen, for the fine clothes she had sent them, but as to the ministers, they had already had some of them, who, instead of preaching the holy gospel to them had taught them to get drunk, to cheat and to quarrel. He then entreated the Governor to take from them these preachers and some other Europeans who dwelt near them; for before they came among them the Indians had been honest, sober and innocent; but now most of them had become rogues. If he would do them any favor,

he would ask him to send two or three blacksmiths among them to teach them how to work iron.

As further illustrating the estimation which many of the leading Indians placed upon the kind of Christianity which was manifested in the conduct of the early settlers and teachers of this vicinity, we give the following as told by Dr. Benjamin Franklin. Canassatego was an Onondaga chief, living about 1740: "Conrad Weiser, our interpreter, had been naturalized among the Six Nations, and spoke well the Mohawk language. In going through the Indian country to carry a message from our Governor to the council at Onondaga, he called at the habitation of Canassatego, an old acquaintance, who embraced him, spread furs for him to sit on, placed before him some boiled beans and venison, and mixed some rum and water for his drink. When he was well refreshed and had lit his pipe, Canassatego began to converse with him; asked how he had fared the many years since they had seen each other; whence he then came, what occasioned the journey, &c. Conrad answered all his questions. The Indian, to continue, said: 'Conrad, you have lived long among the white people and know something of their customs. I have been sometimes at Albany, and have observed that once in seven days they shut up their shops and assemble in the great house. Tell me what that is for? What do they do there?' 'They meet there,' said Conrad, 'to hear and learn good things.' 'I do not doubt,' said the Indian, 'that they tell you so. They have told me the same; but I doubt the truth of what they say; and I will tell you my reasons. I went lately to Albany to sell my skins and buy blankets, knives, powder, rum, &c. You know I used generally to deal with Hans Hanson, but I was a little inclined this time to try some other merchants. However, I called first upon Hans, and asked him what he would give for beaver. He said he could not give more than four shillings a pound; 'but,' says he, 'I cannot talk on business now. This is the day when we meet together to learn good things, and I am going to the meeting.' So I thought to myself, since I cannot do any business to-day, I may as well go to the meeting too, and I went with him. There stood up a man in black, and began to talk to the people very angrily. I did not understand what he said, but, perceiving that he looked much at me and at Hanson, I imagined he was angry at seeing me there. So I went out, sat down near the house, struck fire and lit my pipe, waiting until the meeting should break up. I thought, too, that the man had mentioned

something of beaver, and suspected it might be the subject of their meeting. So when they came out I accosted my merchant. "Well, Hans," says I, "I hope you have agreed to give more than four shillings a pound." "No," says he, "I cannot give so much. I cannot give more than three shillings and sixpence." I then spoke to several other dealers, but they all sung the same song—three and sixpence, three and sixpence. This made it clear to me that my suspicion was right, and whatever they pretended of meeting to learn good things, the purpose was to cheat Indians in the price of beaver. Consider a little, Conrad, and you must be of my opinion. If they met so often to learn good things, they certainly would have learned some before this time. But they are still ignorant. You know our practice. If a white man, in traveling through our country, enters one of our cabins, we all treat him as I do you. We dry him if he is wet, we warm him if he is cold, and give him meat and drink that we may allay his thirst and hunger, and we spread soft furs that he may rest and sleep on. We demand nothing in return. But if I go into a white man's house at Albany, and ask for victuals and drink, they say, "Get out, you Indian dog." You see they have not learned those little good things that we need no meetings to be instructed in, because our mothers taught them to us when we were children. And therefore it is impossible that their meetings should be, as they say, for any such purpose, or have any such effect. They are only to contrive the cheating of Indians in the price of beaver."

Megapolensis, the first Dutch minister in Albany, speaks of the Mohawks as "entire strangers to all religion." "When we pray," he writes, "they laugh at us. When we have a sermon, sometimes ten or twelve of them, more or less, will attend, each having a long tobacco pipe, made by himself, in his mouth, and will stand awhile and look, and afterwards ask me what I was doing and what I wanted, that I stood there and made so many words, while none of the rest might speak. I tell them that I admonish the Christians that they must not steal, nor commit lewdness, nor get drunk, nor commit murder, and that they, too, ought not to do these things, and that I intend, in process of time, to preach the same to them, and to come to them in their own country and castles when I am acquainted with their language. They say I do well to teach the Christians, but immediately add: '*Diatennon jawij Assyreoni hagiowisk?*'—i. e., 'Why do so many Christians do these things?' And then he adds:

"But though they are so cruel, and live without any punishments for evil-doers, yet there are not half so many villainies or murders committed amongst them as amongst Christians."

There was, at different times, much effort made to convert the Indians to Christianity by French, Dutch and English. It was done by Government approval, and with aid from corporate companies and Indian agents, as a matter of policy. Often the missionaries were men of talent, piety and wisdom, and quite as often they were wanting in these gifts. Sometimes they were unprincipled, dishonest and self-seeking. Sometimes the best efforts of the wise and good were hindered by the conduct of so-called Christian traders, Governors and military men. Wild war and greedy traffic are not means of grace. Schoolcraft well says: "The pernicious examples of the whites in the Indian trade, their injustice, treachery, licentiousness and greed created a deep disgust toward the European race in the minds of the Indians."

In and near Albany County, Reformed Dutch, Episcopalians, Presbyterians and Lutherans all did missionary work among the Six Nations during the colonial period. The Mohawks, being nearest the white settlements, received special attention. Denominational jealousies often appeared. There were few missionaries of so devoted and exalted character as was that of Samuel Kirkland. Hence few had such faithful disciples as Shenandoa. Few understood as did the New England John Eliot, the translator of the Indian Bible, and Eleazer Wheelock, the founder of the Indian Charity School of Dartmouth College, the power of early practical education and pure Christian example as foundations of a lasting Christian civilization. Hence there were few "praying Indians," and no Sampson Occum among the Six Nations who brought their trade to Albany and killed their enemies. While the Colonial Government spoke favorably of efforts to Christianize the Six Nations, they did nothing beyond paying a small stipend to the clergymen of Albany to attend to the wants of such as might come to them. Dominie Delliuss baptized many, but his scandalous conduct in the matter of Indian lands showed how false he was to his own teachings. Dominies Lydius and Van Driessen tried to convert some. Rev. Messrs. Barclay, Freeman, Andrews and others labored amid great discouragements, testifying that the conduct of those who professed to have received Christianity was so evil that they could scarce be reputed Christians. Sir William Johnson was friendly to the missionaries as far as they contributed to his advan-

tage; but his own shocking licentiousness was too well known to give him any influence in favor of temperance, purity, or any other form of practical godliness. The Society for Promoting the Gospel in Foreign Parts, managed by the Church of England, made attempts to convert the savages. But little real good was accomplished by the best of men, who understood but little of the language and character of the Indian, and considered too little the influence that their own habits and those of their "Christian" neighbors had upon them. For they counted all the whites as Christians, and judged of the Christian religion by their conduct.

The following anecdote from O'Callaghan well illustrates the usual results of missionary efforts in those days: "A clergyman had succeeded in teaching one young savage the prayers so that he could repeat the responses in the church, and also to read and write well. He was then furnished with a Bible and sent to evangelize the heathen. But he pawned the book for brandy, became a thorough beast, and did more harm than good."

Rev. Mr. Barclay, an Episcopal missionary, giving up his work in 1710, writes to the society in England that employed him: "I am afraid the missionaries that are coming over will find hard work of it, and if the commander of that fort (in Albany) be not a person of singular piety and virtue, all their endeavors will be ineffectual. These here that trade with them are loath that any religion get any footing among them. Besides, these savages are so given to drinking that nasty liquor, rum, that they are lost to all that is good."

But little was attempted by the early colonists of the Hudson and Mohawk toward educating the Indian children.

It is well known that Rev. Eleazer Wheelock, about the middle of the last century, had a school for the education of Indian youth in Lebanon, Conn. His benevolent design was to take the young Indian away from the surroundings of his tribe and interest him in learning and Christianity, and train him to become a teacher and preacher to his own people. Sir William Johnson, among other leading men, favored his plan and sent him pupils, among whom was the celebrated Joseph Brant. Of these pupils Dr. Wheelock writes in 1763: "Joseph and the rest of the boys from your quarter are well, and make good progress in learning. Joseph is, indeed, an excellent youth. He has endeared himself to me as well as to his master and to everybody else by his good behavior."

This school was removed to Hanover, N. H., in 1769, and made a part of the working plan of

Dartmouth College—"vox clamantis in deserto"—a leading idea of the good first President being to educate Indian boys there, and much of this work has been done in this institution.

In 1762, Sir William Johnson writes to Mr. Wheelock: "I agree with you in the opinion that the Indian children will not improve in their studies near so much from the method proposed of erecting schools in their nations as they would do according to your plan of education, whereby they are kept out of the way of and uninfluenced by bad example."

For some years, near the close of the French war in 1763, it was proposed to change the location of this school from Lebanon to some place nearer the Indian population, where there were more lands and less people. Several places in this State were considered. Among other locations the City of Albany was considered. A free correspondence was held with the Mayor from 1766 to 1768 in regard to the school. The corporation had offered to give £2,300 to Dr. Wheelock, on condition that he would remove his institution from Lebanon to Albany. Volkert P. Douw was Mayor and favored the movement.

Other attempts were made, by good men, to teach the Indians to read and write, and other lessons of science and civilization, at sundry times and in sundry places; but these attempts had little success, and were of brief duration. Nothing was done that accomplished results so good, so broad and so lasting as what was done by Eleazer Wheelock. We let him tell his own story: "Among those whom I have educated there have been near forty who were good readers and writers, and were instructed in the principles of the Christian religion as their age and time would admit, and were sufficient masters of English grammar, arithmetic, and a number considerably advanced in Greek and Latin, and one of them carried through college and was a good scholar, and others carried through a course of learning with not less expense for each of them than would have been necessary to have supported an English youth through a course of collegiate studies, and they have generally behaved well while they were with me, and left my school with fair and unblemished characters, and under the influence of every motive I could set before them to a good improvement of the distinguishing talents which God had committed to them, and many of them have gone immediately from my school with good and reputable business, and such business as they were equal to, and generally to serve as schoolmasters, but some as interpreters,

&c., and nothing has prevented their being employed usefully and reputably in various capacities until this day but the want of fortitude to resist the power of those fashionable vices which were rampant among all their tribes. \* \* \* Of all the number before mentioned I don't hear of more than half who have preserved their characters unstained, either by a course of intemperance or uncleanness, or both, and some who, on account of their parts and learning, bid the fairest for usefulness, are sunk down into as low, savage and brutish manner of living as they were in before any endeavors were used with them to raise them up; and there are some of whom I did and do still entertain hope that they were really the subjects of God's grace who have not wholly kept their garments unspotted amongst the pots. And six of these who did preserve a good character are now dead."—*Wheelock's Narrative*, 1771.

As a specimen of the language spoken by the Six Nations that once frequented Albany County, we give the Lord's Prayer, copied from "Smith's Hist. New York":

So-ung-wau-ne-ha cau-ro-unk-yau-ga, teh-see-ta-ro-au, Sauk.son-e-you-sta, esa, saw-an-e-you, o-ket-tauh-se-la, eh-ne-au-wong, na, cau-ronunk-yawga, naugh-wou-shauga, ne-at-te-weh-ne-sa-lau-ga, taug-wau-nau-to-ro-na-an-tough-sick, to-antang-we-lee-whe-you-staung, che-nee-yeut, chaqua-ta-leh-whe-you-staun-ne, tough-sau, taugh-wam-sa-re-neh, ta-waut-ot-ten-au-gal-ough-toung-ga, nas-aw-ne, sa-che-au-tang-was co-an-teh-sal-oh-aun-za-ick-au, esa, saw-au-ne-you, esa, sash-autz-ta, esa, soung-wa-soung, chen-ne-auh-a-aug-wa, au-wen.

#### INDIAN TREATIES, TRADE AND OTHER AFFAIRS.

Indian affairs were from the very first, by common consent, managed by the citizens of Albany. They were nearly all Indian traders, and were in constant intercourse with them. The acquaintance thus formed, their business interests, and their frontier situation, fitted them for the duties involved.

There was only one beaver dam, so far as we have learned, in Albany County, and that in the town of Berne; at least there is no trace or record of any other. But beaver skins and other furs and peltry were brought from a widely extended territory—from the whole State of New York as occupied by the Iroquois, far away from the wilds of Pennsylvania and Ohio, and even from the Canadas, and from New England. The unscrupulous zeal

of the bosch-loopers or runners, knew no bounds. They invaded, when they could do so without too much risk, the territorial rights of the Frenchman and the New Englander, regardless of anything but gain. The Indians were met on their way to the city by these primitive drummers, and bargains were made in advance of the market. Albany claimed a monopoly in the fur trade as against other people or other localities. Their claim was confirmed by the Dongan Charter of 1686. But squatters all about, and especially the early settlers on the Mohawk flats, caused great trouble and grief to Albany traders.

Philip Pieterse Schuyler came from Amsterdam, Holland, and settled in Beverwyck as early as 1647. He was a trader far above the average in ability and character, and his dealings with the Indians were fair and honorable. They became much attached to him, and chiefs often visited him at his farm-house, four miles up the Hudson, and he had a house built especially for their entertainment near his residence in Albany. In 1665, he attended a council held with the Mohawks, as delegate from Albany, after which he had much to do with the frequent negotiations with the Five Nations. He assisted in inaugurating what became the settled policy of the province—to treat the Indians as friends and allies. His son Peter, who continued the same policy after his father's decease in 1683, acquired a great influence over these peculiar people.

Under the Dutch Government, the Director-General and Council of New Netherland managed the Indian affairs. As the relations with the tribes became more complicated and varied after the English conquest in 1664, it became necessary that some persons residing at Albany should be appointed to receive communications in regard to them, and to treat with them in emergencies. The Governor's residence at New York was inconveniently distant. Hence, the origin of the Indian Department, in 1684. The magistrates of the City of Albany were first appointed. In 1690, a distinct Board was constituted, acting under the Governor in all matters of this department, without salary. As most of its members were traders, and had the handling of moneys and other presents, the office of Indian Commissioner became one of great importance and profit. Their records are missing, and are said now to be in Canada. In 1755, the English Crown assumed control of Indian affairs, dividing the colonies into northern and southern departments, and appointing Sir William Johnson as northern Superintendent, who, at his death in

1774, was succeeded by his nephew, Col. Guy Johnson.

"The diplomacy, statesmanship, and good faith exhibited in the earliest management of Indian affairs reflect the highest credit on those charged therewith, and laid the territorial foundations of the Commonwealth on the secure basis of honorable treaties honorably kept. The inspiration and guidance in these relations came largely from the Schuylers, under whom Sir William Johnson was trained."

The adoption of the Federal Constitution superseded the State supervision, which now has to do only with certain lands and some other matters connected with the reservations in the State.

#### COMMISSIONERS OF INDIAN AFFAIRS.

These officers were once, perhaps, the most important in their functions, of any in Albany County and the territory extending a great distance around it. The men who held it were leading men of the time, and their names should here be recorded.

1684.

Mayor and Magistrates of Albany.

OCTOBER 19, 1690.

Joachim Staats,	Peter Bogardus,
Johannis Wendell,	Ryer Jacobz Schermerhorn,
Johannis Bleecker,	Mayor of Albany.

1691.

Matthew Shanky,	Peter Schuyler,
George Bradshaw,	John Tuder,
	Dirck Wessels.

AUGUST 10, 1696.

Peter Schuyler,	Evert Bancker,
Godfrey Dellijs,	Dirck Wessels,
	Mayor, or the Mayor for the time being.

JULY, 1698.

Mayor, Recorder, Aldermen and Commonalty.

Dirck Wessels,	Hendrick House.
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1706.

Peter Schuyler,	Myndert Schuyler,
Capt. Weems,	Johannis Cuyler,
The Mayor,	Evert Bancker,
Johannis Abeel,	Henry Holland,
Kiliaan Van Rensselaer,	Peter Van Brugh,
	Hendrick Van Rensselaer.

APRIL 25, 1710.

Kiliaan Van Rensselaer,	Johannis Cuyler,
John Abeel,	John Schuyler,
Evert Bancker,	Myndert Schuyler,
Hendrick Hansen,	Peter Van Brugh,
	Johannis Roseboom.

1712.

Peter Schuyler,	Johannis Schuyler,
Kiliaan Van Rensselaer,	Hendrick Hansen,
Richard Ingoldsby,	Myndert Schuyler,
	Peter Van Brugh.

## JULY 23, 1715.

Peter Schuyler, John Schuyler,  
Kiliaan Van Rensselaer, Myndert Schuyler,  
Peter Matthews, Robert Livingston, Jr.,  
Hendrick Hansen, John Cuyler,  
Peter Van Brugh.

## NOVEMBER 12, 1720.

Peter Schuyler, Henry Holland,  
Hendrick Hansen, Philip Livingston,  
John Cuyler, John Collins,  
Peter Van Brugh, John Wendell,  
Evert Bancker, John Bleecker.

## 1724.

Henry Holland, Philip Livingston,  
Peter Van Brugh, Johannis Wendell,  
John Collins, Evert Wendell,  
John Cuyler, Hendrick Van Rensselaer,  
Evert Bancker, David Van Dyck.

## 1726.

Capt. Cornwell, John Cuyler,  
Capt. Norris, Peter Van Brugh,  
Philip Livingston, Evert Bancker,  
Henry Holland, John Collins,

Henry Rensselaer.

## SEPTEMBER 13, 1728.

Philip Livingston, Hermanus Wendell,  
Myndert Schuyler, Johannis Roseboom,  
Evert Bancker, Jeremiah Van Rensselaer,  
Rutger Bleecker, Nicholas Bleecker,  
Henry Holland, Evert Wendell,  
Stephanus Groesbeck, Philip Schuyler,  
Peter Van Brugh, Ryer Gerritse,  
Johannis Cuyler, Barent Sanders,  
Abraham Cuyler, Johannis Lansing.

## NOVEMBER 1, 1732.

The preceding with Henry Van Rensselaer,  
Johannis Schuyler, Dirck Ten Broeck.

## JULY 13, 1734.

Philip Livingston, Nicholas Bleecker,  
William Dick, Ryer Gerritse,  
Myndert Schuyler, Dirck Ten Broeck,  
John Schuyler, Johannis Lansing, Jr.,  
Hendrick Van Rensselaer, John De Peyster,  
Rutger Bleecker, Jacob Glen,  
Stephanus Groesbeck, Cornelius Cuyler,  
Philip Schuyler, John Schuyler, Jr.,  
Jeremiah Van Rensselaer, Edward Collins,  
Edward Holland, Abraham Cuyler.

## 1738.

Philip Livingston, Edward Clarke,  
Commandant at Albany,  
Members of Assembly for Albany, Rensselaerwyck and  
Schenectady,  
Mayor, Recorder and Sheriff of Albany.

## DECEMBER 5, 1739.

The Council, Stephanus Groesbeck,  
Commandant at Albany, Rutger Bleecker,  
Mayor and Recorder of Albany, John De Peyster,  
bany, John Schuyler, Jr.,  
Jeremiah Van Rensselaer, Jacob Glen,  
Peter Winne, Arent Bradt,

Edward Collins,  
Myndert Schuyler,  
John Schuyler,

Cornelius Cuyler,  
Johannis Lansing, Jr.,  
Hendrick Ten Eyck.

## 1742.

Philip Livingston, Mayor Dirck Ten Broeck,  
John Rutherford, Recorder Hendrick Ten Eyck,  
Myndert Schuyler, Rutger Bleecker,  
Abraham Cuyler, John De Peyster,  
Nicholas Bleecker, Stephanus Groesbeck,  
Johannis Lansing, Jr., Ryer Gerritse,  
Cornelius Cuyler, Edward Collins.

## 1745.

The preceding with Stephen Van Rensselaer,

## 1746.

Commissary for Indian Affairs, William Johnson.

## NOVEMBER, 1752.

Commissioners, The Council, Commandant at Albany,  
Members of Assembly of Albany, Rensselaerwyck, Schenectady and Livingston Manor,  
Mayor and Recorder of Albany, Hendrick Bleecker,  
bany, John Buchanan,  
Myndert Schuyler, Peter Groenendyck,  
Cornelius Cuyler, Johannis Lansing, Jr.,  
Jacob C. Ten Eyck.

## JUNE 15, 1754.

Mayor and Recorder of Albany, Cornelius Cuyler,  
bany, John Buchanan,  
Commandant at Albany, Jacob C. Ten Eyck,  
Myndert Schuyler, John Rensselaer,  
Peter Winne, Sole Superintendent, April 15, 1755.

## FEBRUARY, 1756.

William Johnson, Sir Wm. Johnson, Bart.

## JULY, 1774.

Guy Johnson, Volkert P. Douw,  
State Commissioners, Timothy Edward,  
Philip Schuyler, Oliver Wolcott,  
James Duane.

It has not been our purpose to discuss the Indian speculatively in regard to his origin; nor in regard to his personal appearance, his dress, food and habits, his manner of life, or his views upon government and religion. We have confined ourselves to his relations to the early settlers of Albany County and vicinity, and their successors, and to the characteristics developed by the educational, moral and religious influences to which they were subjected here in the affairs of peace and war. We have the Indian of the Six Nations only before us as he was in our local history; as he mingled with our people as a fur-trader, in treaties of peace, in our county, in our wars, in our records of treachery and carnage.

More will be said of Indian treaties, trade and other local matters in the history of Albany City.

## EARLY DISCOVERY—VERRAZANO.

There are geographers who believe that Giovanni da Verrazano, a Florentine navigator, commanding a French crew, sailing across the Atlantic, and,

cruising up the Eastern coast of what is now the United States, entered the Bay of New York in the spring of 1524. After a brief tarry, he made no farther sail up the great river, no farther examination of its beautiful shores, but went on his way. Coasting along New England, and returning to France, he made a report of his hurried and comparatively unimportant trip to Francis I., King of France, in July following. If this is true, the *Dauphin* was the first European vessel that touched the waters of our Hudson River. But the French monarch, so far as appears, took no notice of this discovery. Subsequent French navigators paid no regard to it. Cartier, in 1534, and others near his time, did not follow in his track, but went to the more chilly latitudes and more inhospitable shores of the St. Lawrence to found New France. Could they have been ignorant of the voyages of Verrazano? And Champlain sailed up the lake that bears his name almost to the upper waters of the Hudson in 1609, entirely ignorant of French claims, or oblivious of them if he even heard of them. This neglect of the alleged Verrazano report, in an age of discovery, and when the eyes of all Western Europe were turned toward these shores, and all its monarchs were eager to increase wealth and power by territorial extensions in America, is not easily explained. Hence, many regard the report as a historic fraud, and the whole matter as a fable. We give the facts, but express no opinion in this place. One thing is certain, that there is no credible evidence that any subsequent settlements or trade ever resulted from this alleged discovery of Verrazano; nor is "the city and county of Albany" indebted to it for its planting and growth. Nothing came of it; hence it probably has no place worthy of special discussion in this history.\*

\* See note, page 1. Furthermore, it is here proper to quote again from "Discoveries in America to 1535," by A. J. Weise, pp. 361, 362: "The fact that the French had ascended the Grande River (Hudson River, to the height of its navigation, to trade with the Indians, long before Henry Hudson explored it, is corroborated by still stronger testimony than that already presented. One of the earliest maps representing the territory of Nieu Nederlandt (New Netherland), or that part of New France which the French had called La Terre d'Anormee Berge, is the Figurative Chart presented to their High Mightinesses, the Lords States General of the United Netherlands, on the 11th of October, 1614, by a number of Dutch merchants, praying for a special license to navigate and traffic within the limits of this part of North America. [Says John R. Brodhead, the historian: 'This map (made in 1614) is undoubtedly one of the most interesting memorials we have. It is about three feet long, and shows, very minutely, the course of the Hudson River from Manhattan to above Albany, as well as a portion of the sea-coast; and contains, likewise, curious notes and memoranda about the neighboring Indians. The work, perhaps, of one of the companions of Hudson himself, and made within five years of the discovery of our river, its fidelity of delineation is scarcely less remarkable than its high antiquity.'] One of these explanatory notes contains the undeniable testimony that the

At the convention at Albany in the year 1754, held by the Indian Commissioners, as reported among the papers of Sir William Johnson, a speech was made by one of the Indians, in which he gives the following account of the first advent of the white race to the Hudson River. "Our fathers had a castle on this river. As one of them walked out he saw something on the river, but was at a loss to know what it was. He took it at first for a great fish. He ran into the castle and gave notice to the other Indians. Two of our forefathers went to see what it was, and found it a vessel with men in it. They immediately joined hands with the men in the vessel and became friends. The white people told them they should not come up the river any farther at that time; and said to them they would return from whence they came, and come again in a year's time. According to their promise they returned in a year's time, and came as far up the river as where the old fort stood. Our forefathers invited them ashore and said to them, we will give you a place to make you a town. It shall be from this place up to such a stream (meaning Patroon's Creek), and from the river back up to the hill."

In an able document sent by "The People of New Netherlands" to "The High and Mighty Lords States General of the United Netherlands," on the 28th July, 1649, occurs the following, the insertion of which seems pertinent here:

"In the year of Christ 1609 was the country, of which we now propose to speak, first found and discovered at the expense of the General East India Company—though directing their aim and design elsewhere—by the ship de *Halve Maene*, whereof Henry Hudson was master and factor. It was afterward named New-Netherland by our people, and that very justly, for it was first discovered and taken possession of by New Netherlanders and at their expense, so that even at the present day the natives of the country, who are so old as to remember the event, testify that, on seeing the Dutch ships on their first coming here, they knew not what to make of them, whether they came down from heaven or were devils. Some of them on its first approach, even imagined it to be a fish or

French were the discoverers of the Grande River, and that they had been trading with the Mohawks long before the *Half-Moon* sailed up the river. The plain language of the inscription makes all explanation of its meaning unnecessary: 'But as far as one can understand by what the Maquaas (Mohawks) say and show, the French come with sloops as high up as their country to trade with them.' A fac simile of this map is in the State Library, and the inscription above referred to is as follows: 'Ma so vele men heeft connen verstaen uyt i seggen ende beduyen van de Maquaas so comen de Francoysen met sloepen tot boven aen haer land met haerluy handeln.'" G. R. H.

some sea-monster, so that a strange rumor concerning it flew through the whole country. We have heard the Indians also frequently say that they knew of no other world or people previous to the arrival of the Netherlanders here."

#### EARLY DISCOVERY—HENRY HUDSON AND HIS FOLLOWERS.

Henry Hudson first made known to the civilized world "the great river of the North," which we now call Hudson in honor of this bold discoverer. He was an English navigator, an intimate friend of the famous Captain John Smith, who had been employed by London merchants in the vain search for a passage to India by the Northern seas. The pursuit being abandoned by them, as is said, it was continued by the Dutch East India Company. On the 4th of April, 1609, he sailed from Amsterdam, with a crew of about 20 English and Dutch sailors, in the *Half-Moon*, a yacht of about 80 tons. Impassable ice turned his prow. Steering across the Atlantic, touching the shores of the Penobscot Bay and Cape Cod, he proceeded to the capes of the Chesapeake, which he reached early in August. Thence he sailed northerly along the coast, entering rivers' mouths, until he anchored in New York Bay early in September. On the 12th, he commenced sailing up the river, advancing as far as he found it safely navigable, probably to a point near the present site of Hudson City. Anchoring here on the 19th, he sent a boat with his mate and four men further up the river, which, no doubt, passed the site of Albany. He may have proceeded the whole length of the present county, as far as the sprouts of the Mohawk. On the 23d, convinced that this "River of the Mountains" furnished no shorter route to China and the Indies, he leisurely returned down the stream, sailing out to sea, and reaching England November 7th. He had many interviews with natives along the shores, generally of the most friendly character. They came to him in boats laden with fruit, meat, furs, and their own manufactures; they received trinkets in return with great delight. He found the inhabitants below the highlands more savage and faithless than those farther north. Delighted with the noble stream, its banks rich in autumnal foliage, fertile in fruits, splendid in varied scenery, and coursing through a region evidently abounding in large resources for adventure and wealth, his report to the Dutch Company was most favorable. It was not forgotten by them. The next year, another vessel was sent out by shrewd merchants of Amsterdam, which made a successful adventure in the fur trade along

the Mauritius, as the Dutch first named the Hudson. Other vessels followed in 1611, 1612, 1613 and 1614, on voyages of discovery and trade. Captains John DeWitt, Hendrick Corstiaensen, Adrian Block, and Cornelius Jacobsen Mey were foremost in these enterprises. The coast, with contiguous islands, river mouths and bays, all along from Nahant to Delaware Bay, were visited by them. The Fresh or Connecticut, and other rivers were ascended so far as they could be navigated. Manhattan Island was made the chief depot of trade, and Corstiaensen was appointed agent for the Holland fur traffickers. In this same year, 1612, he began laying the foundations of the future commercial metropolis of this now great Republic in the construction of a small fort with a few rude buildings, on the southern extremity of the island.

#### NEW NETHERLANDS—THE ENGLISH CLAIM.

In 1614 the territory extending from Cape Cod to the Delaware River was called New Netherlands, and claimed as under the States General of Holland. Its limits were not well defined, but it was understood to include all the coasts and islands herein and adjacent, and the lands upon the Delaware, Hudson and Connecticut rivers, so far as the Dutch needed them for settlements and trade. But the claim was not admitted by England. The English Cabots had—as was then believed—been the first of Europeans to discover the coast of North America.

The whole territory in North America, lying between the 34th and 45th parallels of latitude, was claimed by England by right of prior discovery. The claim extended from the Atlantic to the Pacific. In 1606, on April 10th, two patents were granted by James I., King of Great Britain, dividing this territory into North Virginia and South Virginia—the former was given for the purpose of colonization to the Plymouth Company; the latter to the London Company. The settlement of Jamestown in 1607, and Plymouth, in 1620, resulted.

It was in 1613 that the English made their first demonstration against the Dutch possessions. Governor Samuel Argall, of Virginia, on his return from a hostile expedition against the French settlements in Acadia, "found at Manhattan Isle four houses built and a pretended Dutch governor," says Captain Smith. Says Chalmers, there was only "a trading house" there. Be this as it may, Argall visited the Governor and demanded possession, alleging that Hudson, an English subject, could not alienate from the English Crown what was

properly a part of Virginia. Incapable of resistance, Corstiaensen, then in command, peaceably submitted himself and his colony to the King of England. It is well known that New England never had any respect for the Dutch claim. The Holland companies kept possession for fifty years longer, and laid their foundations, some of which still remain in the New York of to-day. From the western part of Long Island, and up the Hudson to the Mohawk, including Albany and adjacent settlements, it remained New Netherlands, with little disturbance from the English, until 1664, when might decided the question of right.

#### THE UNITED NEW NETHERLANDS CO.

The importance of establishing a trading post near the head of the navigable waters of the Mauritius early attracted the attention of Hendrick Corstiaensen and other enterprising Hollanders. A general charter of concessions to discoverers of new countries was passed by the Holland Government, at Hague, March 27, 1614. A special charter was granted by the States General, under date of Oct. 11, 1614, to a company of Amsterdam merchants and others of the United New Netherlands Co., giving them the monopoly, until January 1, 1618, of all travel and trade in the New Netherlands, during which time they were authorized to make four voyages.

In 1614, with a few trappers and traders, Corstiaensen sailed up the river, and erected a fort and a store house, upon what was then named Kasteel, or Castle Island, just below the site of the later Fort Orange, and carried on a brisk trade in furs and peltry with the Indians. The fort was called Nassau. The island, now called Van Rensselaer, is situated in the town of Bethlehem. Corstiaensen was murdered shortly after by a malicious Indian in his employ, and Jacob Jacobsen Elkins, his lieutenant, succeeded him as agent for the company. Nothing was done for the settlement or development of the lands.

The spring floods so disturbed the works on the island that Elkins removed them, some time after, to the mouth of the Tawasentha, now Norman's Kill, where there is said to have once been a Mohawk castle and burial place. Here, tradition has it, as stated elsewhere, was concluded, about this time, the first formal treaty of friendship and alliance with the Indians.

Their charter expiring January 1, 1618, this company unsuccessfully petitioned for its renewal. Either the returns made to the Holland capitalists had been unsatisfactory, or a more powerful in-

fluence was at work towards getting up another company to occupy their hunting grounds.

During the more than five years of interval between 1618 and 1623, tradition has it that Elkins and some of his traders still remained and carried on, with the aid of the Holland ships, a lucrative trade, there being none to dispute. It is thought that some of these adventurers remained and joined themselves with those who came under the new company in 1623. During these five years there might have been free trade. But those who had been longest on the ground had, of course, the advantage. Elkins evidently was not pleased with his treatment by the States and the West India Company, as appears further on by his return, in 1633, with an English ship.

#### THE DUTCH WEST INDIA CO.

June 3, 1621, the congress or government of Holland, called the "States General," incorporated the Dutch West India Co., investing it with almost regal powers for carrying on trade and planting settlements from Cape Horn to Newfoundland, for a period of 24 years. Its jurisdiction over the Province of New Netherlands, the special object of its enterprise, was exclusive. It was authorized to appoint governors with the approval of the "States," to colonize territory, erect forts and administer justice. Its executive management was given to a Board of nineteen Directors, one to be appointed by the "States," the remaining eighteen by the company, to be distributed through five separate chambers, in five different cities of Holland. The Province of New Netherlands was assigned to the Amsterdam Chamber. The company was not fully organized until the spring of 1623, when it vigorously entered upon extensive operations. At this time the English ambassador at The Hague, formally protested against these encroachments of the Dutch fur traders; but no armed force was moved to prevent carrying out their plans.

In April, 1623, a vessel under command of Cornelisen Jacobsen Mey, as Director, came over from Holland with thirty families, chiefly Walloons, or French Protestants, and landed at New Amsterdam. Of these, it is said, that eight families came up the Hudson as far as the present site of Albany, where they built Fort Orange, about two miles above Fort Nassau—the location being near the present steamboat square.

Maurice, of Nassau, Prince of Orange, who, at the age of 18, had succeeded his murdered father in the government of the Low Countries, was the Washington of his country. By his wisdom,

bravery and industry he strengthened and confirmed the new republic of Netherlands, and ranked among the first generals and statesmen of his age. He was much beloved and esteemed by his countrymen. In his honor they named the river Mauritius, and the forts Nassau and Orange. Another Fort Nassau was built near this time on the Delaware River.

The Walloons were French Protestants who resided on the borders between Belgium and France, and were distinguished for industry and valor. From this race descended many families in this State. The first white child born in New Netherlands was Sarah Rapelje, daughter of one of the Walloon settlers, whose birth occurred June 7, 1625, and whose descendants are still to be found on Long Island and vicinity.

Catelyn Trico, born in Paris, France, is claimed to have been the first white woman in Albany. This claim is based on her own testimony, made in 1638, when she was 83 years old, which makes her born in 1605, and coming to Albany in 1623, when she was 18 years old. She testifies that she came to this country in the first ship, called the *Unity*, commanded by Adrien Jorise, that came from Holland to New Netherlands for the West India Company. She tells us that two families and six men were sent to Hartford, Connecticut; two families and eight men to Delaware River; eight men were left at Manhattan, and the rest went as far up as Albany, which they called Fort Orange. She says that those who came to Albany and made a small fort were eighteen families; that they made themselves some huts of bark. Adrien Jorise remained all winter and sent his son home with the ship. She represents the Indians as very peaceable, and carrying on a very active trade in beaver and peltry. After three years she left Albany and went to New York, and afterward to Wallabout. She states that the other women on board, four in number, were married and went to the Delaware River. Considering her age and the interval of time, her statement, while it may be correct in the main, is to be taken with some allowance. It is remarkable that only one woman came up to Fort Orange at that time and remained as the first and only female here for three years. The number of "eighteen families" differs from all other statements in our knowledge.

The Commissaries at Fort Orange or Beverwyck, now Albany, were Vice-Directors of the West India Company. They were commanders, also, of the fort. We find the names of the following:

Daniel Krieckkebeeck, Peter Barentsen, Bastian Jansen Krol, Jorissen Houten, Hannan Mynderts

Van der Bogaert, Carl Van Brugge, Jan Labadie, John Dyckman, John De Decker, John La Montagne.

The Dutch Directors-General, otherwise called Commanders and Governors, under the West India Company and the States General of Holland, from 1623 to 1674, were as follows:

#### DUTCH GOVERNORS.

Adrien Jorise.....	1623
Cornelius Jacobsen Mey.....	1624
William Verhulst.....	1625
Peter Minuit.....	May 4, 1626
Wouter Van Twiller.....	April, 1633
William Kieft.....	March 28, 1638
Peter Stuyvesant, May 11, 1647, to September 8, 1664, when the city was surrendered to the English.	
Anthony Colve, September 19, 1673, when the city was retaken by the Dutch, to November 10, 1674, when, by treaty, it was again given over to the English.	

These officers had their seat at the Mannhattans or New Amsterdam, now New York, which was recognized as the capital of New Netherlands, and the centre not only of civil power, but of trade. All emigrants from Europe landed here, and all who returned took ship here. Here were collected all furs, peltries, grain, &c., and from this port transshipment was made to Holland; and all goods intended for the use of the colonists, or for trade among them or the Indians were here received, duly entered, and from thence sent forth to their destination.

The first two Governors were skippers of vessels that took over some of the first immigrants under the West India Company, and had something to do with locating Fort Orange, in the year 1623, or as some of the early documents say, in 1624. The former date is supported by the best authorities. Of Verhulsts we find nothing.

Minuit, the first fully empowered Director-General, purchased of the Indians the Island of Manhattan, in 1626, for a sum equal to about \$24. He was a deacon in the Church of Wesel, whence he came, and, so far as we learn, was a peace-loving man and a just public officer. His correspondence with Governor William Bradford, of Plymouth, was dignified, courteous and honorable. It related to territorial jurisdiction. About 1627, Bradford, hearing that the Dutch were encroaching by sending ships to Narragansett Bay to trade, sent Mr. Edward Winslow to remonstrate. Soon after, Minuit sent a very friendly letter to Governor Bradford, congratulating Plymouth Colony upon its prosperity, and proposing trade and friendly relations in the future.

To this the Governor of Plymouth replied in most friendly terms, alluding to the hospitality which the Pilgrims had received in Holland a few years previous, and assuring the Governor of New Netherlands that they and their children after them would never forget the same. At the same time he assured Governor Minuit that he must respect the rightful claims of the Pilgrims of Plymouth, and not allow his skiffs to come to Narragansett for beavers. He also complained that the Dutch were selling muskets, powder and shot to the Indians. Other courtesies of the most pleasing character were kept up during the time of Minuit, in which each manfully asserted what he regarded as right, while there arose no unfriendly words. Minuit erected Fort Amsterdam near the site of the present Battery, and directed all his energies to founding a State similar to that in Fatherland. By his conciliating disposition, he kept on pleasant terms with the Indians. After his recall, he went to Sweden, and afterward appeared as the leader of 50 Swedish immigrants who, in April, 1638, landed on the site of New Castle and founded New Sweden, which was broken up by the rapacious Stuyvesant in 1655, and subjected to the West India Company.

Van Twiller married into the Van Rensselaer family, and came to New Netherlands in consequence, as the patroon's agent in selecting and locating lands. He afterward was one of the executors of the estate of Kiliaan Van Rensselaer, and, with John Van Weely, a guardian of his son Johannis, during his minority. As Governor he was faithful to the West India Company, but noted for his want of good judgment and executive abilities. His dealings with the English, who took up claims upon the Connecticut River in 1640, were characterized by ridiculous bluster and ignoble failure to carry out his threats. He was equally unsuccessful in his attempt upon the fort at Beeren Island. He was greedy of gain and successful in his greed; great in paper protests, timid in action. He lived peaceably with the Indians, and had little trouble with his subordinates.

It was in 1633, during the time of Van Twiller, that the first English ship, the *William*, sailed up the Hudson River. It was commanded by Elkins, who had spent some years in trading with the Indians in this vicinity under the United New Netherlands Company. In spite of the refusal of the Dutch Governor at New Amsterdam to give him a license, he, asserting the English claim to the territory, defiantly proceeded to a place about a mile below Fort Orange, where he landed, pitched his tent, and, for a few weeks, pursued a lucrative

trade in furs. The traders at Fort Orange protested, and soon after, with the aid of ships and crews sent up from Fort Amsterdam, compelled the bluff captain to strike his tent, re-ship his goods and take his furs down the river. His ship was convoyed to sea, and he, utterly discomfited, returned to London.

Kieft was avaricious, rash and unscrupulous. He kept himself and his colony in constant excitement and trouble. He quarreled with his under officers; he was vindictive toward those who differed from him in matters of public policy; he was oppressive and arbitrary among the people. With the English in Connecticut, the Swedes on the Delaware, the Indian tribes on every side, and the colonists at his own door, he was in continual strife. By his own abandoned folly he aroused the Indians in the vicinity of New Amsterdam, who had been friendly under his predecessors, to deeds of fiery hatred and savage vengeance. His thirst for blood seemed to equal that of the savages, and he expressed himself determined upon a war of extermination of the natives. Neither life nor property was safe. War raged for years. Fields were devastated; homes desolated; and the blood of the innocent citizen and the ferocious savage flowed freely on every side. The very existence of the colonies in and near Manhattan was menaced. Help finally came from New England under Capt. Underhill, for Kieft had no leader. The war ceased. Kieft, recalled for his offences, gathered his treasures and took ship for Europe. He was never heard of more. His vessel was wrecked on the coast of Wales, and the bad man was engulfed in the angry waves with all his ill-gotten treasure.

The Indian wars had lasted about five of the eight years' reign of this infamous wretch, during which he had, like an arrant coward as he was, stayed in his fort and exulted in the ruin around him and his own personal safety. At the beginning of these wars the population of New Netherlands was about 3,000; at its close, less than 1,000. New Amsterdam contained only about 100 people when peace came, August 31, 1645. His unlamented end was regarded as an act of retributive divine justice.

We find no evidence in the record of these times that the savage wars of the lower Hudson seriously disturbed the dwellers about Fort Orange. No doubt they had accessions from those who fled from the cruel carnage. No doubt they had fears of similar outbreaks, which, probably, were hindered by their pleasant relations in trade to the

powerful Mohawks, who were a wall, for many years, to this weak frontier people.

Much may be seen of the character of Stuyvesant under our Rensselaerwyck heading. He was a brave man—decided in his convictions, persistent in carrying them into action. He aimed to be true to his trust. He restored peace, and dealt prudently with his Indian neighbors. When these savage tribes broke out in their savagery he was equal to the emergency. They found him not wanting in courage and energy, nor in prompt justice. There were then no settlements from Fort Amsterdam to the Catskills, except at Esopus, now Kingston. The restless and blood-thirsty Indians about here were effectually reduced and put in subjection under his management in 1663. He was a man of military experience; honest, but imperious; a believer in prerogatives; arbitrary in action. He was strangely inclined to arresting and shutting up in prison those who opposed his views, and to confiscating their estates as if guilty of treason against the government. He quarreled with his Vice-Director and other officers; he, as will appear farther on, was in a continual contention with the officers of the patroon at Beaverwyck. He was feared, but not beloved. He did not make friends with the Yankees, the Swedes, or the Dutch. The States General disapproved his course, and the West India Company, which appointed him and long sustained him, doubted the wisdom of many of his transactions.

#### FIRST SETTLEMENT.

The first settlement of Albany County has been written down under the date of 1609, when Hudson's boat, probably, passed the site of our city; in 1610, when certain Holland skippers were prospecting along our shores; in 1614, when Captain Corstiaensen and his hunters and trappers planted themselves, for trade in furs, on Kasteel Island; in 1621, when the Dutch West India Company was first established; and in 1623, when, according to the best evidence we now have, this same company actually landed a few Hollanders upon the territory now called Albany, to engage, as their factors and servants, in the collection and transmission of furs and peltries. None of these events can be reckoned as dating the first settlement of our county.

Probably not a drop of the blood of any of those early adventurers courses in the veins of any white citizen of this State or nation. Few, if any, had families. Some died here and turned to dust; others returned to their native land when their service was over. They did not come to stay. None

came as colonists, occupying land and cultivating it. Fish, deer, wild fowl and other game abounded. Native fruits were plenty. Possibly, a few vegetables, and some corn and other grain, were raised in patches near the fort. Some food was brought over in ships. For a few trinkets the rest was purchased from the Indian squaws, who cultivated them. They were no more "first settlers," than were the first adventurers that went out from our States to the mines of California, 40 years ago, the first settlers of that great State and its San Francisco, now the gem of the Pacific.

"It never began to be settled until every one had liberty to trade with the Indians, inasmuch as up to this time no one calculated to remain there longer than the expiration of his bounden time, and therefore did not apply themselves to agriculture." Thus says a Dutch writer of that day. The "Free Trade Liberty" began about 1640.

These fictions of history are not the solid facts for us to build upon. Those "first families" did not give us our "blue blood." They who did this came later. Our real history began later. Indeed, it is, at the best, a vain boast for any individual or people to boast of a misty antiquity or of blood that has flowed down from moneyed and titled sires of the old times. To deserve well of our children's children, to earn and transmit a heritage of noble aims and noble deeds, is a far better ambition. It is told in old Grecian history of an idiot, who was boasting of his noble sires, when a bystander pertinently silenced him by asking, "What are you doing to honor the memory of your sires?"

The States General of Holland saw how little progress was making in colonizing the New Netherlands; what an unstable and unreliable people went out and came back; how poor in kind and few in number was the population.

The first reference to population which we find is made in October, 1628, in a work published in Amsterdam, which says, "There are no families at Fort Orange \* \* \* they keep five or six and twenty persons, traders, there."

In October, 1626, the Ship *Arms of Amsterdam* reached Amsterdam from New Netherlands. Its cargo shows the variety and amount of its transported products at that time, which consisted of 7,246 beaver, 853½ otter, 81 mink, 36 wild cat and 34 rat skins; also, "samples of summer grain, such as wheat, rye, barley, oats, buckwheat, canary seed, beans and flax."

The Assembly of XIX. reports to the States General, in 1629: "All who are inclined to do any sort of work here procure enough to eat

without any trouble, and are, therefore, unwilling to go far from home on an uncertainty." This from Holland, and is written to explain the difficulty of sending out persons suitable, from the country, for colonizing New Netherlands. It is added, "The people conveyed by us thither, have therefore found but scanty means of livelihood up to the present time, and have not been any profit, but a drawback, to this (West India) company. The trade carried on there in peltries is right advantageous; but one year with another, we can, at most, bring home only fifty thousand (\$20,000) guilders."

A new scheme was planned and adopted, singular, indeed, in its provisions; unlike anything before attempted in the New World. It was approved and carried out by men of wealth and sagacity, and, of experience in trade and government. Its prime object was to increase money and power. It included the colonization of farmers and artisans—providing a new home and better prospects for the boors of the Belgic race, and a field for the ambitious and enterprising, who had no room at home. It was partially successful. It brought over all classes. But not a few industrious, high-minded, discreet families came to stay. They laid foundations broad and deep. We are to-day enjoying the benefits of their wisdom and energy. In the men who came here from Holland during the middle years of the 17th century, were exhibited elements of character which have been found in many of their descendants; men of exalted patriotism, inflexible integrity and cultivated intelligence, who have helped to upbuild, preserve and adorn our Republic. We say this with a full knowledge of the faults of the manorial system, of the men who lorded it, and of the men who have suffered from it, or contended against it.

#### RENSSELAERWYCK AND BEVERWYCK.

The history of Rensselaerwyck, in all its relations, is so largely the history of this County and of the State even, that we give it much space, but no more than its importance demands. With it begins the real settlement of the city and county of Albany, in 1630, when a company of real settlers came over with a purpose, under the patronage of Kilian Van Rensselaer, the first patroon.

We have followed Dr. O'Callaghan in the record of what follows during the exciting struggle for wealth and power between the agents of the patroon and of the West India Company, in the 27 years from Kieft, in 1637, until 1664, when that arrogant tyrant, Peter Stuyvesant, reluctantly

yielded to the English power and ceased to war upon the patroons. The people were weary of him, and the patroon was glad to have no more of the West India Company.

In 1629, a charter of privileges and exemptions was passed for the encouragement of patroons to settle colonies. In the following year, several wealthy and influential Directors of the Dutch West India Company hastened to avail themselves of its advantages. Bastiaen Jansen Krol, Commissary, and Dirck Cornelissen Duyster, Under Commissary, at Fort Orange, having learned that a tract of land called Sannahagog, lying on the west side of the North River, extending from Beeren Island, by the Indians called Passapenock, up to the Smackx Island, and in breadth two days' journey, was for sale, purchased the same from the native proprietors, for Kilian Van Rensselaer, a pearl merchant in Amsterdam and one of the Directors of the West India Company. Three months afterward Gillis Hoosett purchased, in the presence of Jansen Myndertsen, Wolfert Gerritsen and Jan Tyssen, trumpeter, for the same gentleman, the lands lying south and north of Fort Orange, and extending to within a short distance of Moenimines Castle, then situated on what is now called Haver Island, at the mouth of the Mohawk, and from one of the chiefs, his grounds, called Semesseeck, stretching on the east side of the river from opposite Castle Island to a point facing Fort Orange, and thence from Poetanock, the Mill Creek, north to Negagons. These conveyances were subsequently ratified by the respective parties, in the presence of the Director-General and Council of New Netherland, who signed an instrument to that effect, "sealed with the seal of New Netherland in red wax," on the same day that the charter of 1629 was proclaimed at Fort Amsterdam. Nearly seven years afterward—namely, on the 13th April, 1637—all the intervening district, called Papsickenekaas, or Papsekanca, as the name is now pronounced, lying also on the east side of the river, and extending from opposite Castle Island south to the point opposite Smackx Island, and including the adjacent islands and all the lands back into the interior, belonging to the Indian owners, was purchased "for certain quantities of duffels, axes, knives and wampum," also for Mr. Van Rensselaer, who thus became proprietor of a tract of country twenty-four miles long and forty-eight miles broad, containing, as is estimated, over seven hundred thousand acres of land, which now compose the counties of Albany, Rensselaer, and part of the county of Columbia.

On the 1st of October, 1630, a copartnership was entered into between Kilian Van Rensselaer, Samuel Godyn, Johannis de Laet and Samuel Bloemaert, with whom were associated Adam Bissels and Toussaint Moussart, who, by the terms of the contract, were constituted co-directors of Rensselaerwyck. The common stock of this association was divided into five shares, of which Van Rensselaer held two; De Laet, one; Godyn, one; and Bloemaert and his associates, one. The management of the affairs of the "colonie" was committed to a board consisting of four persons or votes, of which Van Rensselaer represented or held two; Bloemaert, or Bissels, one; and De Laet, or Moussart, one. Van Rensselaer was, however, not to have any rank or authority in the "colonie" superior to his associates, except the title of Patroon, which, with all its feudal honors, was vested in him alone, the partners binding themselves to do fealty and homage for the fief on his demise, in the name and on the behalf of his son and heirs.

Preparations were also made to expedite farmers and cattle to Rensselaerwyck; and everywhere, at home and abroad, things wore the aspect of prosperity.

The condition of the Dutch settlements on the North River, at this time, is thus alluded to by a contemporary English writer: "This which they have settled in New England, upon Hudson's River, with no extraordinary charge or multitude of people, is knowne to subsist in a comfortable manner, and to promise fairlie both to the State and undertakers. The cause is evident. The men whom they carrie, though they be not many, are well chosen and known to be useful and serviceable, and they second them with seasonable and fit supplies, cherishing them as carefully as their owne families, and employ them in profitable labors, that are known to be of speciall use to their comfortable subsisting." So said *The Planters' Plea*, London, 1630.

The inhabitants of Rensselaerwyck in 1640, who numbered at the time as many traders as individuals, noting the avidity with which the Mohawks sought after fire-arms, willingly paying the English twenty beavers for a musket, and from ten to twelve guilders for a pound of gunpowder, were desirous to share so profitable a trade. They commenced, accordingly, to furnish fire-arms to these Indians. The profits which accrued became soon known, and traders from Holland introduced large quantities of guns and other munitions of war into the interior.

The Mohawks, thus provided with arms for four

hundred warriors, swept the country from Canada to the sea-coast levying tribute on the surrounding terror-stricken tribes.

The Patroon's Charter of 1629 having provided that every "colonie" should contain, within four years after its establishment, at least fifty persons over fifteen years of age, one-fourth of whom should be located within the first year, the parties interested in the settlement of Rensselaerwyck lost no time in complying with these conditions. Early in the spring of the following year, 1630, a number of colonists, with their families, provided with farming implements, stock and all other necessities, sailed from the Texel, in the company's ship, the *Endracht*, Capt. Jan Brouwer, commander, and arrived in safety at the Manhattans, after a passage of sixty-four days. In a short time afterward they landed at Fort Orange, in the vicinity of which they were furnished with comfortable farm-houses and other dwellings at the expense of the patroon and his associates. Other settlers followed, with additional stock, each succeeding season, and thus were laid the foundations of those wealthy and prosperous settlements which we now behold in and around the present City of Albany.

Invested, as well by the Roman law as by the Charter, with the chief command and lower jurisdiction, the patroon became empowered to administer civil and criminal justice, in person or by deputy, within his "colonie;" to appoint local officers and magistrates; to erect courts and to take cognizance of all crimes committed within his limits; to keep a gallows, if such were required, for the execution of malefactors, subject, however, to the restriction that if such gallows happened, by any accident, to fall, pending an execution, a new one could not be erected, unless for the purpose of hanging another criminal. The right to inflict punishments of minor severity was necessarily included in that which authorized capital convictions. Accordingly, we find various instances, throughout the record of the local court, of persons who had, by breaking the law, rendered themselves dangerous to society, or obnoxious to the authorities, having been banished from the "colonie," or condemned to corporal chastisement, fine, or imprisonment, according to the grade of their offences.

In civil cases all disputes between man and man, whether relating to contracts, titles, possessions, or boundaries; injuries to property, person, or character; claims for rents and all other demands between the patroon and his tenants, were also

investigated and decided by these courts; from the judgment of which, in matters affecting life and limb, and in suits where the sum in litigation exceeded twenty dollars, appeals lay to the Director-General and Council at Fort Amsterdam. But the sagacious local authorities, it must be added, were so jealous of this privilege that they required the colonists, on settling within their jurisdiction, to promise not to appeal from any sentence of the local tribunal.

The laws in force here were, as in other sections of New Netherland, the Civil Code, the enactments of the States General, the ordinances of the West India Company, and of the Director-General and Council when properly published within the "colonie," and such rules and regulations as the patroon and his co-directors, or the local authorities, might establish and enact.

The government was vested in a General Court, which exercised executive, legislative, or municipal and judicial functions, and which was composed of two Commissaries and two Councilors, who answered to modern justices of the peace.

Adjoined to this court were a Colonial Secretary, a Sheriff or *Schout-fiscaal*, and a Court Messenger or Constable. Each of these received a small compensation, either in the shape of a fixed salary or fees; the Commissaries and Magistrates, fifty, one hundred, or two hundred guilders, annually, according to their standing; the Secretary, one hundred guilders, and the Court Messenger, one hundred and fifty, with the addition of trifling fees for the transcript and service of papers. The magistrates of the "colonie" held office for a year, the court appointing their successors from among the other settlers, or continuing those already in office, at the expiration of their term of service, as it deemed proper.

The most important functionary attached to this government was the *Schout-fiscaal*, who, in discharge of his public functions, was bound by instructions received from the patroon and co-directors. No man in the "colonie" was to be subject to loss of life or property unless by the sentence of a court composed of five persons, and all who were under accusation were entitled to a speedy and impartial trial. The public prosecutor was particularly enjoined not to receive presents or bribes, nor to be interested in trade or commerce, either directly or indirectly; and, in order that he might be attentive to the performance of his duties, and thoroughly independent, he was secured a fixed salary, a free house, and all fines amounting to ten guilders (\$4.00), or under; besides the third part

of all forfeitures and amends over that sum were his perquisites.

Jacob Albertsen Planck was the first sheriff of Rensselaerwyck. Arendt Van Curler, who originally came out as Assistant Commissary, was appointed, soon after his arrival, Commissary-General, or Superintendent of the "colonie," and acted as Colonial Secretary until 1642, when he was succeeded by Anthony de Hooges. Brant Peelen, Gerrit de Rens, Cornelis Teunissen van Broeckelen, Pieter Cornelissen van Munickendam, and Dirck Jansen were, if not the first, at least among the earliest magistrates of the settlement.

The population of the "colonie" consisted at this remote period of three classes: Freemen, who emigrated from Holland at their own expense; farmers and farm-servants, who were sent out by the patroon, who judiciously applied his large resources in promoting the early settlement of the country, and in assisting the struggling industry of his people. To accomplish this laudable object, a number of farms were set off, on both sides of the river and the adjoining islands, on which he caused dwelling-houses, barns and stables to be erected. These farms were suitably stocked with cows, horses or oxen, and occasionally sheep, and furnished with plows, wagons and other necessary agricultural implements, all which preliminary expenses were defrayed by the proprietor, so that the farmer entered on the property unembarrassed by the want of capital. Some of those farms were then valued, and an annual rent was fixed, equivalent, in some sort, to the interest of the capital expended on their improvement, and payable semi-annually in grain, beavers and wampum. Other farms were let out for one-half or for the one-third of their produce. The patroon was entitled, at the same time, to half the increase from the stock; he reserved to himself one-tenth of the produce of each farm, and, in various instances, stipulated for a yearly acknowledgment of a few pounds of butter. The tenant was privileged, however, to compound by the payment of a fixed annual sum for the tenths of the farm, or for his halves or thirds. He was bound, at the same time, to keep the fences, buildings or farming implements in repair, and to deliver them up in the same good order in which he had received them, subject, in all cases, to ordinary wear and tear. But the patroon bore all risks of destruction of the buildings, cattle, and other property, which might accrue from war or misunderstandings with the Indians. Wild or unimproved land was usually leased for a term of ten years free of rent, or for tenths, subject, however,

to be improved by the lessee, all improvements falling to the patroon on the expiration of the lease.

In addition to the facilities above enumerated, each of the settlers, on leaving Holland, was generally furnished with clothing and a small sum in cash, the latter to be repaid on some future occasion in produce or wampum with an advance on the principal of fifty per cent. This, however disproportionate it may now seem, cannot be considered unreasonable or extravagant when it is understood that the difference at the time between colonial and Holland currency was nearly forty per cent., while between the latter and wampum, it was vastly larger. The patroon was bound, at the same time, to supply his colonists with a sufficient number of laborers to assist them in the work of their farms. As compensation for his trouble in engaging these, and for his advances in conveying them to America, he was entitled to the sum of sixteen guilders, or six dollars, per annum for each laborer, over and above the yearly wages which the farmer was to allow such servants, and which ranged from forty to one hundred and fifty guilders and board.

This sum provided these servants with necessary clothing, and, in the course of time, placed at their disposal the means to enter on a farm on their own account. It is to be remarked, however, that the first patroon seriously complained that his settlers not only threw altogether on him the payment of these wages, but took large quantities of goods from his store, for which they made no returns whatever, though they were bound to settle at the end of each year, and to hand in an account of the produce of the farm, distinguishing the patroon's tenths, halves or thirds, the amount paid for wages and their own expenses, so as to allow him to ascertain what his own profits and losses were at the close of each year.

In return for his outlay and trouble, the Civil Code, which, it must be always borne in mind, was the fundamental law of this "colonie," vested in the patroon several privileges common to the feudal system. At the close of the harvest, the farmer was bound to hand in a return of the amount of grain which he had for sale, after deducting what was due to the landlord by the lease, and offer to him or his commissary the pre-emption of such produce. In case he refused to buy it, then the farmer was at liberty to sell the same elsewhere. The like rule obtained in regard to cattle. When these were to be sold, the first offer was also to be made to the patroon, in order, we presume, that he should have an opportunity of retaining the stock within the "colonie." Every settler was, likewise, obli-

gated to grind his corn at the patroon's mill, and the latter was equally obligated to erect and keep such mill in repair at his own expense, for the accommodation of his colonists. No person could hunt or fish within the limits of the "colonie," without license from the patroon, who, on the exchange, sale and purchase of real estate within his jurisdiction, was entitled to the first offer of such property; or, if he declined to assume it, to a certain portion of the purchase money, except such mutation occurred in the natural line of descent. Finally, it was his right, as "lord of the manor," to succeed to the estate and property of all persons who might die intestate within his "colonie."

Under the fostering care of its first patroon, and the prudent management of its local magistracy, the "colonie of Rensselaerwyck" progressively, though slowly, advanced. Portions of its inhabitants occasionally returned to "Fatherland" to spread the tidings of their prosperity, and to invite their friends and relatives to join them in their new houses, which, from the abundance and cheapness of provisions, deserved truly to be called "a land flowing with milk and honey." A hamlet gradually arose. On account, it is said, of the crescent form of the bank of the river at this point, this hamlet was first called the Fuyck, or Beversfuyck, and afterwards Beverwyck, by which name the present City of Albany was legally known until 1664, though it was familiarly called the Fuyck by the Dutch for many years after the entire country had passed into the hands of other masters.

Mr. Van Rensselaer, some allege, visited the "colonie" in person in 1637. This, however, is not certain.

Adrian Van der Donck, "a free citizen of Breda," and a graduate of the University of Leyden, was selected as the successor of Sheriff Planck. He entered on the performance of his duties as Schout-fiscaal of Rensselaerwyck in the course of a month or two after his appointment.

One of the principal aims of the first founders of Rensselaerwyck seems to have been to secure for themselves the valuable trade in furs, the chief mart for which centered at the point where they made their purchase and commenced their settlement. To engross this the more effectively, all foreign and unlicensed traders were rigidly excluded from the colony. The patroon and his partners were the only privileged importers of European merchandise, the West India Company having, in consequence of the Indian War about Fort Amsterdam and other causes, ceased to keep Fort Orange supplied with foreign goods. All

settlers were bound under oath not to purchase any peltries from the Indians, on pain of forfeiting their goods and wages, unless duly licensed to carry on such trade; for such a privilege was exclusively vested in the patroon. The majority of the settlers subsequently obtained such permission, received goods on credit from the patroon's store, and "every farmer," as De Vries observes, "became a trader." They were, however, obliged to bring in all the furs which they purchased to the patroon's magazine, to be sent over to Holland to him, he retaining as his share half the profits. This condition was afterward modified so far as to allow him to retain only the sixth beaver and one guilder recognition, or duty, on each of the remaining five-sixths. Competition raised the price of peltries nearly one hundred per cent. Prior to 1642 the price of a merchantable beaver, which averaged about an ell square, was six hands, or fathoms, of wampum. In the course of that year the article commanded from seven to seven and a half; but when the traders found that the agents of the patroon, as well as the officers at Fort Orange, did not refuse paying that price, they immediately offered nine, and in the following year advanced the rate to ten fathoms of white wampum for each skin. A joint proclamation was hereupon issued by the authorities of Rensselaerwyck and those of the Fort, fixing the price of furs at nine fathoms of white, or four and a half of black wampum, and forbidding all persons whatsoever, whether servants of the company or residents in the colony, from going into the woods to trade in advance with the Indians, on pain of seizure of all their goods. Another proclamation was, also, issued, prohibiting all traders to come with their sloops within the limits of the colony, under the penalty of forfeiting the same. And on the following court day a third proclamation followed, for the better securing the monopoly of the import trade to the patroon, by which the inhabitants of the colony were absolutely forbidden purchasing any goods from the local traders.

At this time, between Sheriff Van der Donck and Van Curler and the other officers of the colony, considerable jealousy and ill-feeling existed. The representations of Van der Donck had, eventually, such an effect on the public mind that a conspiracy was formed against Commissary-General Curler among several of the colonists, who drew up a strong protest against that officer, which, in order that they might remain undiscovered, the ringleaders signed in the form of a "round robin," affixing to the paper their signatures in "a

circle." This done, they next denounced Van Curler in the most vehement terms. Some proposed driving him from the colony as a rogue; others, more vindictive and turbulent, insisted on taking his life. These threats, fortunately for the character of the settlers, were not followed up by any overt act. Van der Donck professed, all the while, an honest desire to promote the wishes of the constituted authorities. But, when the time for testing his sincerity arrived, he was found wanting.

It became apparent from the ill feeling which existed between Sheriff Van der Donck and the other functionaries in the colony, which had already caused, in two instances, an exchange of blows, that the former could not comfortably prolong his stay in Rensselaerwyck, or hold his office very agreeably much longer. He determined to return to Holland in the course of the next year.

In September, 1643, there was conveyed to New Netherland by the patroon's ship, *The Arms of Rensselaerwyck*, an assorted invoice of merchandise, consisting of woolen, linen and cotton goods, ready-made clothing, silks, glass, crockery, leather, fruit, cheese, spices, brandy, gin, wines, cordials, tobacco, pipes, nets, looking-glasses, beads, axes, adzes, razors, knives, scissors, bells, nails, spoons, kettles, thimbles, pins, needles, threads, rings, shoes, stockings, gloves, combs, buttons, muskets, pistols, swords, shot, lead, canvas, pitch and tar, candles, stationery, and various other commodities, valued at twelve thousand eight hundred and seventy guilders, to be bartered with the Indians and other inhabitants of the country for tobacco, furs, and other produce. To insure entire success for this venture, the skipper, supercargo and pilot of the ship were allowed a direct pecuniary interest in the proceeds of the voyage.

The system of license introduced by the patroon, and the profits which resulted, had already incited a number of private individuals to embark in the fur trade. As a consequence, this staple was altogether taken out of the hands both of the patroon's and the company's servants, who could purchase scarcely a skin, while private traders exported thousands of peltries. A number of unlicensed traders now resorted to the colony, who drew the Indians away into "secret trading places," where, by means of higher prices, they obtained possession of the most valuable furs, "not caring whether or not the trade was so injured as to render the patroon unable to meet the expenses of his colony." Having thus "debauched" the savages, these interlopers succeeded, by means of "wine and strong drink, which they sold at an usurious

rate," in perverting many of the colonists, from whom they got not only peltries, but even large quantities of grain, which the farmers disposed of without either respecting the patroon's pre-emption right, or paying the tenths, or accounting for the halves or thirds which they were bound by lease to pay.

To arrest these illicit proceedings, the patroon adopted two measures which would, he expected, put a stop to the injuries which his interests were sustaining from the competition that was then exhausting and impoverishing his colony. One of these was the erection of a fortified post and trading-house on Beeren Island, the southern boundary of his estate, which, by commanding the channel of the river, would exclude all vessels, but his own and those of the West India Company, from the upper waters of the Hudson. The other was to send out a stock of goods sufficient to supply, through his establishments at Beverwyck and Beeren Island, the Mohawks and River Indians, and all the neighboring settlers, with whatsoever they might require in barter for their produce, whether furs or corn. It was with a view to carry out the latter part of this project that the ship *Arms of Rensselaerwyck* now sailed from Holland with the above mentioned valuable cargo.

She arrived at the Mannhattans while the war with the Indians was at its height, and at the moment when Director Kieft was sorely distressed for clothing for the troops which he had enlisted. A requisition was immediately made on Pieter Wyncoop, the supercargo of the ship, for a supply of fifty pairs of shoes to be distributed among the soldiers, payment for which was offered "in silver, beavers, or wampum, at such price as the supercargo might demand." But Wyncoop, perceiving that he could sell these goods to more advantage to the inhabitants than to the Director, injudiciously refused to comply with this requisition. A forced levy was the result, and as many soldiers were equipped with shoes from the ship as "killed five hundred of the enemy." The evil consequence of Wyncoop's refusal did not stop here. The ship was immediately overhauled by authority of the Director and Council, and a considerable quantity of powder and a number of guns found on board, which were not enumerated in the manifest, and which Wyncoop was charged with intending to sell to the savages. These articles having been made contraband by law, and their introduction forbidden on pain of death, were, together with the ship, forthwith confiscated.

The vessel sailed soon after for Holland, whither

Van Curler also proceeded to give an account of his stewardship.

In the meantime Nicolaus Coorn, "Wacht Meester" or commander, in the service of the patroon, had completed his fort on Beeren Island, on which he mounted a number of cannon, sufficient not only for its defence, but for the complete command of the river. A claim to "staple right" was then boldly set up—a toll of five guilders, or two dollars, imposed on every trading-craft passing up or down, which were also obliged to lower their colors in honor of Rensselaer Stein. And thus a sovereign jurisdiction was asserted over this navigable highway against all persons, save and except the servants of the West India Company.

It was the summer of 1644 that the yacht *Good Hope*, of which Govert Lookermans was master, sailed from Fort Orange for New Amsterdam. Passing Beeren Island, the craft was hailed, and peremptorily ordered "to lower his colors." On being asked for whom, the commander replied, "For the staple right of Rensselaerwyck." But the skipper refused, with an oath, to strike his flag "for any individual save the Prince of Orange and the lords, his masters." Whereupon Coorn fired several shots at the vessel, "one of which," says the record, "perforated our princely flag," about a foot above the head of the skipper, "who kept the colors constantly in his hand."

Such an outrage as this could not fail to create excitement in New Amsterdam, when the particulars became known. Coorn was summoned to appear immediately at Fort Amsterdam, to answer for his conduct. He pleaded the authority of his patroon. But this was considered no justification. He was condemned in damages, and forbidden to repeat the offence on pain of corporal punishment. He was further required to obtain Van Rensselaer's approval of the sentence, which should be executed on him without fail, if that approval were not forthcoming. This proceeding was followed, soon after, by a strong protest from Attorney-General Van der Huygens, against the establishment on Beeren Island, which was declared to be inconsistent with the privileges granted to patroons and lords of manors. No patroon, it was maintained, could extend his colony more than sixteen miles along the bank, or eight miles on both sides of the river, while Beeren Island was more than eight miles from the limit of the colonies. The bold attempt to construct a fort there, to command the river and to debar Fort Orange from free navigation would, it was added, be ruinous to the company. It was, therefore,

peremptorily ordered that no building whatsoever, much less a fortification, should be constructed beyond the limits of Rensselaerwyck.

But Nicolaus Coorn, Commander of Rensselaerstein, was not to be intimidated by the paper bullets of Director Kieft's Attorney-General. "As the Vice-Commander of the honorable Van Rensselaer," he replied, "I call on you, Cornelis Van der Huygens, Attorney-General of New Netherland, not to presume to oppose and frustrate my designs on Bear's Island, to defraud me in any manner, or to cause me any trouble, as it has been the will of their High Mightinesses, the States-General and the privileged West India Company, to invest my patroon and his heir with the right to extend and fortify his 'colonie,' and make it powerful in every respect. If you persist in so doing, I protest against the act of violence and assault committed by the honorable Lords-Majors, which I leave them to settle, while this undertaking has nothing else in view than to prevent the canker of free-traders entering his 'colonie.'"

In the spirit in which this protest was drafted were the feudal pretensions of the Lord of Rensselaerwyck asserted and maintained during the remainder of the patroon's life. The same policy was steadily continued by his executors for several years after his death, which event took place in Amsterdam, in the year 1646.

With the demise of the first patroon terminated also Van der Donck's connection with the "colonie." He was succeeded in his office of *fiscaal* by Nicolaus Coorn. He did not, however, quit Rensselaerwyck before experiencing a heavy loss in the destruction of his house on Castle Island, by fire, in consequence of which he and his wife temporarily removed to Van Curler's residence, the hospitalities of which were generously offered to him by its proprietor. Differences of opinion now arose between him and Van Curler, as to the party on whom the loss of the house should fall—one maintaining that the property was at the risk of the patroon, the other of the lessee. A quarrel ensued. Van der Donck gave Van Curler the lie, whereupon the latter ordered him out of his house. Van der Donck removed immediately to Fort Orange, where he remained until the opening of navigation, whence he proceeded to Manhattan.

Rensselaerwyck was the only "colonie" which remained uninjured by Kieft's Indian war. As a consequence, its population generally prospered, and sundry farms were taken up. Beverwyck continued,

however, in swaddling-clothes; for the city which, in 1885, holds about 100,000 inhabitants, contained, in 1646, no more than ten houses. Several farmers had, at an early date, begun another settlement south of Beverwyck, to which they gave the name of Bethlehem. A few *bouweries* were also cultivated on the east side of the river, opposite Fort Orange, in what is now Greenwich. Katskill and its fertile bottoms had engaged, at an early date, the attention of the settlers at Rensselaerwyck, but the pretensions of opposite parties prevented any planting of consequence in that quarter; and Van Slyck, who had received a patent for lands there, had as yet made no commencement. The country between Rensselaerwyck and Manhattan, on both sides of the river, still remained a wilderness. It is true that the Hollanders had built a fort at Esopus, in the year 1614, contemporaneously with the erection of their post on Castle Island. This possibly might have been followed by the clearing of some small portions of land in that vicinity; but it is very doubtful whether any such settlements survived the destructive Indian war of 1644-5.

Such was the state of public affairs in Rensselaerwyck and vicinity when General Peter Stuyvesant assumed the government of New Netherland in 1647.

Johannes Van Rensselaer, heir to the patroonship of Rensselaerwyck, being a minor at his father's decease, the care of his interests devolved on his uncle, Johannes Van Wely, and Wouter Van Twiller, executors to the last will and testament of the first patroon, who immediately rendered fealty and homage for "the colonie" to their High Mightinesses, in the name and on the behalf of their ward.

The immediate management of this estate was entrusted to Brant Arent Van Slechtenhorst, of Nieukerke, in Guilderlandt, who was appointed Director of the Colony, President of the Court of Justice and Superintendent of all the *bouweries*, farms, mills and other property belonging to the patroon, at a salary of seven hundred and fifty florins (\$300) per annum, to reckon from the date of his arrival out, together with a house, four milch cows, two horses, eight acres of tillage and eight acres of pasture land. He was specially charged to uphold, maintain and defend the freedoms and privileges with which the colony was invested; to promote the interests and advance the settlement of Beverwyck and its immediate neighborhood; and to acquire, by purchase, the lands around Katskill, for the greater security of the colony, inas-

much as the colonists, through a notion of acquiring property in that quarter, were forming companies or associations to remove thither and abandon Rensselaerwyck. He was further ordered to explore the country for minerals, and to report to his superiors in Holland whatever success might crown these labors. Thus commissioned and instructed, the newly-appointed Director sailed with his family and servants and arrived in the colony in the latter part of March. His son, Gerrit Van Slechtenhorst, was to act as *Officier* or *Schout-fiscaal*, at a salary of six hundred florins; but he filled the office only two months, when it was merged in that of the Director.

From the moment that colonies began to be planted by patroons in New Netherlands the Directors of the Amsterdam Chamber became jealous of their existence and opposed to their continuance. They considered them injurious to the settlement of the country and the increase of its population. By the repurchase of Pavonia and Zwanendaal, in 1634, they took the earliest and easiest means to check the evil. In the prosecution of their policy, they endeavored to induce the patroon of Rensselaerwyck also to cede to them his rights, privileges and possessions; but, having failed in effecting this, they now changed front, and determined to circumscribe a jurisdiction and weaken a power which they could not buy off, and which they wished to destroy. Gen. Stuyvesant and Brant Van Slechtenhorst were the champions of these hostile interests and opposing views. The former claimed to be supreme ruler of the whole country, irrespective of the special rights and feudal privileges granted—as well by the Charter of 1629 as by the civil law—to the local authorities of independent fiefs. The latter, thoroughly conversant with the immunities claimed for manors and municipalities in continental Europe, recognized the exercise of no authority within his limits, save that of his patroon, or such as was approved and sanctioned by his legal representatives. Whatever orders or placards the Director-General of New Netherlands might issue were, he maintained, null and powerless, unless endorsed and countersigned by his commander and executed by the officers of his court. It was easy to foresee that pretensions so opposite could not fail to lead to collision; and Slechtenhorst had not been much more than a month at his post when an explosion took place.

A copy of a proclamation ordering the first Wednesday in May, 1648, to be observed as a general fast, and the performance of public worship in the several churches of New Netherlands, was duly forwarded

to Rensselaerwyck. It was received by the authorities of this place, not in that spirit of submissive obedience which the Director-General demanded for all his orders; but as an invasion of the rights and authority of the Lord of the Manor, against which Van Slechtenhorst forthwith protested.

This proceeding did not comport with Stuyvesant's ideas, either of law or propriety. To correct the abuse, he resolved to visit the "colonie," where, accompanied by a military escort, he soon after landed, his arrival being most loyally greeted by salvos from the patroon's artillery. Summoning Van Slechtenhorst, he called in question his pretensions, and charged him with infringing the West India Company's sovereignty. But the sturdy commander retorted: "Your complaints are unjust; I have more reason to complain on behalf of my patroon against you." The Director-General fulminated thereupon a lengthy protest, in which Van Slechtenhorst was accused with having conveyed lots and authorized the erection of buildings in the immediate vicinity of Fort Orange, in disregard not only of the sovereign authority, but in contempt of the Director-General's commission, thus infringing the privileges granted by their High Mightinesses and destroying the security of the fort. Such proceeding was totally repugnant to "military discipline and tactics." He therefore ordered, "in a friendly manner," a stop to be put to all building within range of cannon shot, unless specially ordered by the Lords Majors. He further commanded that no new ordinances affecting the sovereign authority, or relating to commerce or the public welfare, be issued without the previous consent of their High Mightinesses or their representative in New Netherland, and that no exclusive right to any branch of trade be rented, nor any grain, masts or other property belonging to the Company's servants be seized, unless the prosecutions on such suits were disposed of without delay. The practice of compelling the inhabitants of the colony to sign a pledge that, as defendants, they should not appeal to the Supreme Court of New Netherland from judgments rendered by the Court of Rensselaerwyck was pronounced "a crime," an infraction of the law of the land, and a subversion of the Charter. To prevent the recurrence of this illegal practice, an annual return to the Director and Council of all the affairs transacted in the colony and of the proceedings of the court was insisted on. And, as Van Slechtenhorst claimed, in direct contradiction to the charter and the Director-General's commission, to the vilification of the latter's office and in disrespect of the Lords

Majors, not to be responsible to the government at Fort Amsterdam, he was called on to produce his authority, either from the States-General or the Directors of the Chamber at Amsterdam, for such pretension. Failing in this, the Director-General protested against him for disobedience of orders.

Commander Slechtenhorst was, in the estimation of his opponents, "a person of stubborn and headstrong temper." He was, besides, fully confident that he had law and custom on his side; he was sure that he had the instructions of his superiors in his pocket, and was therefore determined not to abandon the rights of "his orphan patroon." He answered protest by protest. He charged, in his turn, the Director-General with having proclaimed a day of fasting and prayer in Rensselaerwyck, "contrary to ancient order and usage, as if he were the lord of the patroon's colonie."

He accused the company's servants at the fort, with having cut without permission the best timber and firewood in the patroon's forests, "as if these were their own;" and with having ranged through the whole colonie, along with people from Manhattans, "with savages by their side to serve as brokers," trading publicly with the aborigines, as if the place were their property; all this without license from the patroon or his authorized agents, and without paying either duties or recognitions. As for the order not to build within a prescribed distance of Fort Orange, it was an aggression which could not be justified. The patroon's trading house stood, "a few years ago," on the border of the moat which surrounded that fort. That soil, with all around, belongs still to the patroon; he was never disturbed in its possession until Director Stuyvesant sought now "by unbecoming means" to oust "his orphan heir," to deprive him of the benefit thereof, and to appropriate the soil to himself; threatening to destroy the patroon's buildings by cannon shot. Van Slechtenhorst is hereby prevented erecting "even a hog pen" on the patroon's own land; and Stuyvesant has become a judge in his own case. The assertion that the objectionable buildings endangered the security of the fort was a mere pretext. They were more than five hundred rods from the fort or trading-house; and it was added, eight houses already intervened between them and Fort Orange.

In keeping with that spirit here displayed did Van Slechtenhorst continue his improvements in Beverwyck. Another protest from the Director at Manhattan followed, warning the patroon's agent

that force should be used if he did not desist. But this had the effect only of calling forth "a counter blast." No suit, he insisted, could be instituted, nor execution issued in another district, without previous consent of the Schout-fiscaal or Court of that jurisdiction on the pain of nonsuit and arbitrary correction, and therefore the present proceeding was informal. The pretensions now put forth were, moreover, at variance with those which had already been promulgated and in contradiction to practice even at New Amsterdam. The Director-General claimed, in July, that all the territory within range of cannon shot belonged to Fort Orange; now he reduces the circle to the range of a musket ball, within which he will not allow a house to be built, "notwithstanding he permits whole streets to be filled with houses in view of Fort Amsterdam."

This continued contumacy served but to irritate the New Amsterdam executive. The freshets of the past winter had nearly destroyed Fort Orange, and the West India Company's Commissary had received orders to surround that fort with a solid stone wall in lieu of the wooden fence by which it had hitherto been encompassed. But scarcely had a rod of the work been finished, when Van Slechtenhorst forbade Carl Van Brugge "in an imperious manner" to quarry stone within the colony, or to fell a tree either for the repair of the fortification or for firewood. The farmers and inhabitants were also ordered, contrary to the practice of former magistrates, to convey any such materials thither. The Company was thus deprived of articles necessary to build forts, or other edifices, and compelled either to beg them from their vassals, or, "what is worse," to purchase them at enormous prices. Whilst thus opposing repair of the public works, Van Slechtenhorst actively continued his own buildings "even within pistol shot of Fort Orange."

On receipt of this intelligence, General Stuyvesant resolved to maintain his authority by force. Six soldiers were dispatched to Van Brugge's assistance, with orders to demolish the offending house; to arrest Van Slechtenhorst "in the most civil manner possible," should he offer any opposition, and to detain him in custody until he delivered a copy of his commission and his instructions, and had declared that he had no other. He was finally summoned to appear at Fort Amsterdam to answer for his conduct. Orders were at the same time issued, prohibiting the importation of guns into the "colonie" without license from the Lords Majors. Such arms, when imported, were to be sold only to

the West India Company at a fixed price of two beavers each.

The excitement produced in the hitherto peaceful hamlet of Beverwyck on the appearance of this armed posse may be easily conceived. The oldest inhabitant had not seen a soldier nor heard the sound of a drum in that place until the Director-General's visit in the course of the last summer. And now, when another armed band arrived, with the hostile design of razing the houses of quiet and inoffensive settlers, they were sorely amazed and much alarmed.

Those whom the Director-General had dispatched to enforce his orders, were not, in truth, the best qualified for the performance of this delicate mission. They were very zealous "when the patroon's timber was to be cut, or his deer killed," and were not slow to exhibit their insolence by grossly insulting the commander "when walking the public street" in company with his deputy, Andries de Vos, cursing them and "abusing God's holy name," because "they had not bade them good evening."

This rude conduct, and the unconcealed avowal of their mission, aroused the indignation, not only of the settlers, but even of the Indians. These assembled in a tumultuous and angry manner, and demanded if "Wooden Leg," in whom they had confided as their protector, intended to tear down the houses which were to shelter them in stormy and wintry weather? When they learned that all the trouble was about a few rods of land, they told the commander to accompany them home, and they would give him plenty of land "in the Maquaas country;" so that "more kindness was evinced by the unbelieving savages than by our Christian neighbors, subjects of the same sovereign, bound by their oaths to protect us against insult and outrage."

The soldiery were disposed to celebrate whatever victory they obtained by firing a *feu-de-joie*. They accordingly discharged three or four volleys. This brought the Indians again together. Slechtenhorst succeeded, however, in soothing their irritation, and persuaded them to depart. They returned shortly in increased numbers, and inquired in angry terms, "If Wooden Leg's dogs were gone?" They were assured that all would yet be well; that they had been misinformed, that the houses should not be pulled down. A threatening storm was thus happily averted; for the Director-General's rash conduct had well-nigh produced bloodshed, "and the ruin, not only of the 'colonie,' but of the Manhattans

and of the Christians within this land, who are all at the mercy of the savages"—especially had these been joined by some Christians, "as might have been the case."

Van Slechtenhorst's indignation at this encroachment on the patroon's privileges was not so easily removed. He gave vent to his feelings in a long and angry protest. The demand for a copy of his commission, and the summons to appear at Fort Amsterdam, he answered by calling for a copy in writing of the Director-General's claims and complaints. "The noble patroon had obtained his possessions and immunities, was invested by the States-General with high and low jurisdiction and the police of the most privileged manors; and were he, as his agent, now so base as to crouch before the present unwarrantable proceedings, and to produce his commission, before he had received orders to that effect from his lords and masters, not only would they be injured, but he be guilty of a violation of his oath and honor, a betrayal of his trust and a childish surrender of the rights of his patroon." He could not, therefore, obey such demands, the illegality of which was only rendered the more flagrant by the unusual and insolent manner in which they were made.

Such illegal conduct betrayed a deep contempt of the patroon and his court, as well as of the sovereign whom they represented. Those who have been guilty of similar violations of law in Fatherland "had often been apprehended, and condemned to bread and water for the space of five or six weeks; yea, were sometimes brought to the block," so jealous was every local jurisdiction of the least encroachment on its privileges.

As for preventing timber being cut within the colonies, "Is the patroon," he demanded, "not master on his own land? Is he not free to cut his timber as well as his corn? And can he not arrest these, when cut by others without his permission? It is notorious that all the present proceedings emanated from party spirit, had no foundation in reason, and were as justifiable as the complaint in *Æsop's* fable of Cousin Gysbert, who, whilst drinking on a hill from a waterfall, quarreled with a lamb, who stood below, for disturbing the water and making it muddy."

This protest produced a long replication from Director Stuyvesant and Council, whose power, it was maintained, "extended to the colony of Rensselaerwick, as well as to the other colonies." Stringent orders were issued to Van Brugge and Labadie to prosecute and complete the repairs of the fort; to procure, for that purpose, timber

anywhere within the limits of New Netherland; to quarry stones from the mountains, rocks and plains, and have them conveyed from any place, and in the most convenient manner, except from farms and plantations which are fenced and cultivated, or about being so." The jurisdiction of the company, and "the ancient and uninterrupted use of the gardens and fields near the fort," were to be rigidly maintained, and the destruction of the buildings within musket or cannon shot proceeded with forthwith.

The Schout-fiscaal of New Netherland averred that it was long since notorious that the Director and Council had been treated with disrespect by Van Slechtenhorst. Van Slechtenhorst was summoned to appear at Fort Amsterdam. He could have obeyed without inconvenience as "the river remained open, the winter pleasant, and several vessels sailed up and down during the whole month of November." Now, however, to remove all doubt, the citation was again renewed, and the commander was peremptorily ordered to appear at Fort Amsterdam on the 4th of April next ensuing, by the first sailing vessel, "when he will be informed of the complaint against him." The prospect from Fort Orange ought, in his opinion, to be unobstructed, at least within circle of cannon shot. There were plenty of vacant lots along the river, on which the inhabitants could construct their dwellings, yet they persist, "through pride," in building near the walls. But the truth was, it was neither through pride nor obstinacy that the colonists at this early day persisted in clinging to Fort Orange. This post supplied them in their feebleness with security against the Indians, and they were loath to forego its protection.

Removed from the contentions which were distracting the capital of New Netherland, Commander Van Slechtenhorst was actively extending the limits of Rensselaerwyck by the purchase of the Mohegan lands to the south of that "colony." On the 4th of September, 1648, he had acquired for the patroon the tract called Paponicuck, in exchange for some thirty ells of duffels and a few handfuls of powder; and this spring purchased Katskill and Claverack. On the other side of the Atlantic, Wouter Van Twiller was boldly laying claim to the control and monopoly of the upper waters of the Hudson River in behalf of his ward, the orphan patroon, and publicly announcing his determination not to permit any merchant vessel to pass Beeren Island, or to trade in the vicinity of Rensselaerwyck. For he maintained that Fort Orange had been built on the patroon's territory,

and that none—"not even the West India Company"—had a right to permit others to erect houses or to pursue any branch of business thereabout. Feudal law and feudal privileges thus brought along with them, into these parts, the old feudal quarrels of Europe for the free navigation of nature's highways to the ocean, and the question was, whether the North River should be open to all their High Mightinesses' subjects, or whether these should be debarred from its use by the garrison on Beeren Island, now named "in such a lofty way, 'The place by right of arms.'"

The absurdity of the claim to the soil on which Fort Orange stood was clearly established by the fact that the fort was built and garrisoned by the West India Company full 15 years before the existence of Rensselaerwyck; that up to the year 1644 the West India Company had the exclusive enjoyment of the fur trade, which the company intended to reclaim "whenever it shall be able to provide its magazines with a sufficient store of goods." In view, therefore, of all these circumstances, and in order to correct a state of things of which the merchants generally complained, the Directors determined to use their sovereign rights—to the confusion of Van Twiller, "that ungrateful individual, who had sucked his wealth from the breasts of the company which he now abuses." They accordingly dispatched orders to remove all obstructions to the free navigation of the North River and commercial intercourse with Fort Orange. If Van Twiller should again plant guns near that river, they were to be seized; and if any person dared to exact tolls, or salt duty on any rivers, islands or harbors within the company's limits, to the injury of the inhabitants or traders generally, such were to be prevented by all means possible—even by force if necessary—as it was the firm determination of the Directors never to part with these pre-eminences or jurisdictions to any colonists whatsoever.

Previous to this date Van Slechtenhorst had granted several leases for land in Katskill. But the Directors refused to admit the patroon's pretensions to that section of country, as it had already been granted to another. In conformity with his instructions, Stuyvesant now protested against those leases, and announced his resolution to oppose these encroachments. The authorities of Rensselaerwyck were consequently much embarrassed, and therefore remonstrated that they had only obeyed the orders of their superiors in Holland. They therefore requested the Director-General to defer further proceedings in the matter

until they should communicate with their superiors, and promised, in the meanwhile, neither to send nor allow to be sent any settlers or cattle to the land in dispute. Thus was impeded the early settlement.

In 1651, the call for a subsidy from Rensselaerwyck brought on another collision between the authorities of that colony and the New Amsterdam Provincial Government. The latter had already peremptorily demanded the excise on wines and strong liquors consumed in the patroon's district, which was refused. It was considered an invasion of the freedoms, and in direct opposition to the custom, of Fatherland. The patroon had defrayed, from his own resources, the salaries of the minister and other public servants, as well as the general expenses attendant on the settlement of the country. These had amounted, on the 30th of June, 1650, to the sum of twenty-five thousand seven hundred and seventy-three guilders, or more than ten thousand dollars, no part of which had been paid either by the company or the Co-directors of the colony. It would be, therefore, submitting to a wrong to consent to the demand now put forth. As it was a matter, however, that concerned the common interests of the country and the privileges of the colony, Commander Van Slechtenhorst was commissioned to proceed to New Amsterdam to remonstrate with the Director and Council against it.

He arrived at the Mannhattans towards the close of the month of April, and took the earliest opportunity to represent how contrary to reason, law and usage were the proposed exactions. But Stuyvesant was inexorable, and Slechtenhorst on his side was equally unyielding, "for it was a matter of great importance, which may cause not only tumult, but bloodshed in the country." The parties separated; but Slechtenhorst had not yet finished his dinner, when a messenger summoned him before the Director-General and Council. Immediately on his appearance the authorities proceeded to pronounce sentence against him, animadverting in strong terms on his conduct, especially in reference to the settlement of Katskill. Slechtenhorst, no ways daunted, demanded if a man could be condemned unheard? The only answer he received was an order for his arrest. He was detained four months at the Mannhattans, notwithstanding he repeatedly protested against his detention, and the authorities of Rensselaerwyck made several applications for his release. Finally, seeing no prospect of obtaining permission to depart, he embarked in a sloop, and returned to Fort Orange, having given a guar-

anty to the skipper to see him harmless, should he be prosecuted for having received him on board. It was well for the skipper that he had taken this precaution, for, on his return to the Mannhattans, his vessel was arrested, and he was fined two hundred and fifty guilders and costs. Van Slechtenhorst estimated his expenses in consequence of these proceedings at about four hundred dollars.

Three years had now elapsed since Director Stuyvesant set up a claim for a separate jurisdiction for Fort Orange, distinct and independent from that of Rensselaerwyck. Yet the question remained still unsettled. Lines were not drawn in those days with as much precision as in our times. The Indians measured by the day's journey, Stuyvesant by the cannon-ball. The jurisdiction of the fort, as claimed by him, extended over a circumference within the range of gunshot, which he estimated at six hundred paces of five feet to a pace, a distance subsequently estimated at one hundred and fifty rods. As the hamlet of Beverwyck, now becoming every day more populous and valuable, would, by this operation, be severed from the colony, and as the West India Company could not fail, in consequence, to secure the greater part of the fur trade, to the serious injury of the patroon, considerable opposition was manifested against Stuyvesant's pretension. The authorities of Rensselaerwyck maintained that the fort stood on the patroon's soil; that the whole territory, from Beeren Island to the Cohoes, was his, and that consequently the fort could have no jurisdiction beyond its walls. As for trading in furs, or cutting timber, it was, they insisted, a flagrant spoliation of the patroon's property.

Jean Baptiste Van Rensselaer, the first of that family who visited this country, was elected one of its magistrates, whilst this controversy was at its height. Shortly afterwards, an order was issued that all the freemen and inhabitants should take the oath of allegiance to the patroon and his representatives.

These conflicting pretensions were necessarily productive of a bad state of feeling between the opposing parties. On New Year's night, some soldiers, armed with matchlocks, sallied from the fort and fired a number of shots at the patroon's house. Several pieces of ignited wadding settled on the roof, which was of reed, and had caused the destruction of the building, had not the inmates been on the alert. On the following day, the soldiers assaulted the younger Slechtenhorst in the street, "and not only beat him black and blue, but dragged him through the mud and mire in the

presence of Johannes Dyckman, the company's Commissary, who cried out all the time, "Let him have it now, and the devil take him!" Philip Pietersen Schuyler, who had married a daughter of Van Slechtenhorst, endeavored to save his brother-in-law. Dyckman, hereupon, drew his sword, and threatened to run Schuyler through if he interfered. The soldiers struck others of the commander's children, and threatened to shoot them, but were prevented. The friends of the family were justly incensed at this outrage, and menaced revenge. This coming to Dyckman's ears, he, it is represented, ordered the guns of the fort to be loaded with grape, with the intention of blowing down the patroon's house.

Things were in this unpleasant state, when Stuyvesant sent up some placards relating to the limits of Fort Orange, which he ordered to have published in the colony. Dyckman, accompanied by six followers and three soldiers, "armed with carbines and pistols," proceeded to the house where the magistrates were in session, and demanded of Slechtenhorst to make a minute of what he was about to require. As it was contrary to law for any man to enter another's jurisdiction with an armed posse, without the previous consent of the local authorities, Dyckman's conduct was looked upon as an additional insult, against which Slechtenhorst protested, ordering the Commissary at the same time to quit the room. Dyckman retired; but, "as force hath more to say here than justice," he returned with increased numbers, and demanded that the placards should be published throughout the colony by the sound of the bell. "It shall not be done so long as we have a drop of blood in our veins," replied the Court, "nor until we receive orders from their High Mightinesses and our honored masters." But Dyckman, nevertheless, persisted, and ordered the porter to ring the bell. This was opposed also. Dyckman now proceeded to the fort, ordered the bell there to be rung three times; then returned to the patroon's court-house, ascended the front stoop, or steps, with his armed followers, whilst the wondering burghers stood around, and directed his deputy to make proclamation of the placards. The latter was about to obey, when Van Slechtenhorst, rushing forward, tore the placards from his hands, "so that the seals fell on the ground." Another long protest followed from the authorities of the colony, whilst young Van Rensselaer facetiously said to the crowd, "Go home, good friends; 'tis only the wind of a cannon ball fired six hundred paces off!"

On receiving the report of these occurrences, Director-General Stuyvesant immediately dispatched another placard to Dyckman, again declaring the jurisdiction of Fort Orange to extend within a circumference of six hundred paces of said fort, "and, in order that no man shall plead ignorance, we further charge our Commissary, after publication hereof, to erect on the aforesaid limits, north, south and west of the aforesaid fortress, a post, marked with the Company's mark, and to affix, on a board nailed thereto, a copy hereof." Within these bounds no house was, for the future, to be built, except by consent of the Director and Council, or those authorized to act for them. This violent and illegal act, violating at once the rights of property and of the Charter of 1629, severed, now and ever after, the town of Beverwyck from Van Rensselaer's colony. It was not, however, quietly submitted to by the authorities of the latter, for they immediately ordered their constable to remove the posts forthwith, "protesting before Almighty God and the States-General against all open force and violence, and insisting on reparation for all losses and damages which might accrue or be caused thereby."

On the same day the Court drew up a long remonstrance "against the unbecoming pretensions and attacks of the Director and Council of New Netherland," in which they denied that the latter had any authority over the colony; they had never sworn allegiance to the Company, much less to Monsieur Stuyvesant, and owned no masters but the States-General and their own immediate superiors, whose lands have been erected into a perpetual fief, with high, middle and low jurisdiction; and he who would now destroy this must be more powerful than the Company, "yea, than their High Mightinesses."

This paper was declared by the Director and Council "a libellous calumny." Secretary de Hooges was called on to furnish the names of the magistrates who had voted in favor of it, and threatened, in case of disobedience, to prosecute him for contumacy.

In the meanwhile the question of jurisdiction presented itself in a new shape to agitate and disturb still further this infant hamlet. A negress belonging to Sander Leendertsen Glen, charged with theft, caused several "decent persons" to be prosecuted as receivers of stolen goods. She was ordered to be arrested for defamation, and Dyckman proceeded to take up the wench. Her master refused to surrender her that evening. Dyckman, offended at this, told the burgher that he had power

to send him and all his family to jail; to pull his house down about his ears, and trample it underneath his feet, "as it was erected on the company's soil." "I have nothing to do with you," replied Glen; "I cannot serve a new master until I am discharged from the one I live under." The Commissary threatened him with Stuyvesant, but the other thought he should fare as well at the Director-General's hands as he. This retort overthrew Dyckman's temper. He drew his rapier and threatened to run his adversary through. But Glen was not afraid. He seized a stick to repel his assailant, who then retired. Next morning he was summoned to the fort and placed under arrest. Rumors now became rife that Stuyvesant was about to visit the place, and the Commissary went so far as to give out that a new gallows was building for Slechtenhorst and his son, and for young Van Rensselaer, who were put down as the fomentors of this rebellion.

The Director was at this time occupied in ridiculing himself of all that remained of his opponents at New Amsterdam. The only one undisposed of was Attorney-General Van Dyck, and his hour had not arrived.

From the moment that he had been commissioned he was treated by Stuyvesant with marked contumely, and excluded from the Council for over two years after his arrival in the colony. In the exercise of his office he was most commonly employed as a scrivener, to copy legal papers, the drafts of which the Director-General usually prepared; at other times he was "charged to look after the pigs and keep them out of the fort—a duty which a negro could very well perform." When Van Dyck happened to object, the Director "got as angry as if he would swallow him up;" or, if he presumed to disobey, "put him in confinement, or bastinadoed him with his rattan." A series of ill-usage such as this naturally drove the Fiscaal into the ranks of the opposition.

But in the spring of this year a silly lampoon against the Director-General made its appearance, and Van Dyck was put down as its author. The Council was convoked to consider this mighty affair of State, and a resolution followed dismissing the Schout-fiscaal from office, "on account of the multitude of his misdemeanors and connivances." This resolution purported to be "by and with the advice of the Nine men;" but these repudiated the assertion, and declared "that they never had any knowledge of the Commonalty as having complained of Van Dyck; that they never had agreed to the resolution ordering his dismissal; that Stuy-

vesant had passed it on his own authority, and that the Secretary had falsely appended to it their names."

To fill this vacancy, Cornelius Van Tienhoven, the putative author of the above intrigue, received the appointment of Attorney-General; Carl Van Brugge, "an Englishman," succeeded him as Provincial Secretary, and Adrian Van Tienhoven became Receiver-General in place of his brother.

"Were an honorable person appointed in my stead," says Van Dyck, commenting on these proceedings, "the false accusations against me, which have been so long resolved upon and written, might have some semblance of truth; but the person whom the Director-General hath, on his own mere motion, made Fiscaal, is his perjured Secretary, who returned here contrary to their High Mightinesses' prohibition; a public, notorious, and convicted whoremonger and oath-breaker; a reproach to this country, and the main scourge of both Christians and heathens, with whose sensualities the Director himself has been always acquainted." "The fault of drunkenness could easily be noticed in me, but not in Van Tienhoven, who has frequently come out of the tavern so full that he could go no further, and was forced to lie down in the gutter."

Having thus disposed of Van Dyck, Stuyvesant turned his attention to Van Slechtenhorst, and to conclude all difficulties with him, repaired to Fort Orange and called on the authorities of Rensselaerwyck to state where their bounds commenced. It was indifferent to him from what point, north or south, they should start. The exemptions allowed them four miles on one, or two miles on both banks of the river, and he was prepared to concede to that extent; but he warned them, if they should refuse this "reasonable offer," he would proceed *ex-parte*. They replied that they had no instruction to act in the premises, and requested delay, until they advised with the interested parties in Holland. The delay was granted; but the question of supremacy over Beverwyck was not so easily settled.

Sergeant Litschoe presented himself, with a party of soldiers, before the patroon's house, and, having stationed his followers at the door, ordered Van Slechtenhorst to strike the patroon's flag. The latter peremptorily refused to obey, whereupon "fourteen soldiers armed with loaded muskets, entered the enclosure, and, after firing a volley, hauled down the lord's colors."

Stuyvesant followed up this act by issuing a proclamation erecting in Fort Orange a Court of Jus-

tice for the Village of Beverwyck and its dependencies, apart from and independent of that of Rensselaerwyck. This placard having been affixed to the court-house of the colony, was torn down by Van Slechtenhorst, who, in return, posted a proclamation vindicating the patroon's rights, and denouncing the pretensions of those who infringed them. This was removed by those of the fort.

From the date of Gen. Stuyvesant's proclamation above mentioned reckons the establishment of a legal tribunal in Beverwyck, and consequently in the present City of Albany. This was April 10, 1652. It was an exercise of the prerogative which followed naturally the high-handed proclamation of the 5th of March preceding.

Van Slechtenhorst's reign was now evidently drawing to a close. For four years he had manfully defended the rights of his "orphan patroon," and unflinchingly contended against the invasions of superior force. But what, in those days, could avail in New Netherland the opposition of one man against the attacks of the Executive? Nine armed soldiers burst into his house and, without exhibiting any authority for the act, dragged him a prisoner, "against all his protests," to Fort Orange, "where neither his children, his master nor his friends were allowed to speak to him," whilst "his furs, his clothes and his meat were left hanging to the door-posts," and his house and papers were abandoned to the mercy of his enemies. He was next conveyed on board a sloop lying in the river, and removed in charge of a guard to New Amsterdam, "to be tormented, in his sickness and old age, with unheard-of and insufferable prosecutions by those serving a Christian government, professing the same religion, and living under the same authority."

Jan Baptist Van Rensselaer succeeded Van Slechtenhorst as Director, and Gerrit Swart was appointed Sheriff, or Schout-fiscaal, of Rensselaerwyck in his place.

Information was received by the patroon and co-directors of Rensselaerwyck of the high-handed measures which Stuyvesant had exercised in the early part of this year in regard to their colony. They thereupon sent in to the Amsterdam Chamber a remonstrance, complaining, 1st, that the Director-General had dared to intrude in their colony, and had commanded the patroon's flag to be hauled down; 2d, that he had caused timber to be cut on the complainants' lands without either their knowledge or their permission; 3d, that he had claimed for the West India Company the right of jurisdiction and property over all the

land within a circumference of one hundred and fifty rods of Fort Orange, where he had erected a court of justice, notwithstanding the soil had been purchased from the right owners by the patroon, with the jurisdictions thereunto belonging, whereby the colonists were reduced to a state of dependency, absolved from their oaths, "transformed from freemen to vassals, and incited to disregard their former solemn compacts and their lord and master;" 4th, he had, moreover, discharged Sheriff Swart from his oath of office, and obliged him to swear allegiance to the company; 5th, demanded copies of all the rolls, protocols, judgments, resolutions and papers relative to the colony and its affairs; 6th, ordered his Commissary to force Van Slechtenhorst's house, and to toll the bell at the publication of his illegal placards; 7th, arrested by force and arms the Director of the Colony, had him conveyed to the Mannhattans, where he illegally detained him in custody; 8th, taxed the colony to swell the company's revenues, licensed those who quit the patroon's service to sell articles of contraband to the savages, and, in addition to the exaction of the tithes, had raised a tax by farming out the excise on wines and beers—"thus, in every respect and everywhere using violence and infringing rights, jurisdictions and pre-eminences, apparently determined to take our goods and blood, contrary to all laws, human and divine; declaring, over and above all this, that he is continued in his administration solely in the hope and consideration that before his departure he should ruin this colony." The patroon and co-directors solemnly avowed their intention "to employ all lawful remedies to preserve and maintain their rights and privileges, and to protect their colonists against such lawless aggressions," and insisted that the West India Company should forthwith order their Director to abandon these attempts, repeal his placards, and compensate for the injuries which he had inflicted. But if the Directors were of opinion that they had any just cause of complaint, they were then called on to appear in any court of justice to make good their pretensions before our common judges. Failing to answer categorically the above accusations within four-and-twenty hours, the interested parties threatened to "complain where they expect they shall be heard."

The Directors answered, in vague terms, that they were unwilling to commit an infraction on any person's privileges. But this not being deemed satisfactory, the patroon and his friends addressed a memorial to their High Mightinesses, the States-

General, of whom they demanded justice and redress. This paper was immediately sent to the Department of Amsterdam, which, after considerable delay, returned a reply to some of the charges brought against their agent in New Netherland. They denied all knowledge of the patroon's flag having been hauled down, of his colonists having been released from their oaths, of any of his lots having been taken away, and of the establishment of a Court of Justice in Fort Orange. The timber was removed from a place so limited as to injure no one, and all complaints against the extension of the jurisdiction of Fort Orange were without foundation. That jurisdiction was determined "before the colony of Rensselaerwyck was granted." "The limits of the colony were, therefore, fixed above and below the fort, under whose walls the petitioners were afterwards permitted to shelter themselves from the savages, but from this concession no right or title can be imagined or acquired." Gerrit Swart was not discharged from his oath to the patroon. He was only obliged to take a second one to the company, remaining subject to both masters. The demand of the rolls and papers belonging to the colony, as well as the levying tithes and excise therein, was authorized by the charter. As Van Slechtenhorst would not "toll the bell," on the publication of the placards, it was unavoidably necessary that it should be executed by others; and his arrest was imperatively demanded in order "to curb the insufferable insolence, effrontery and abuse of power," of which he was guilty. The authorizing the sale of arms and ammunition to the savages was acknowledged. "It was deemed prudent that it should be now and then permitted."

Having thus disposed, in one way or another, and as best they could, of the charges which were brought against them, the Directors now assumed the offensive, and presented against the patroon and co-directors of Rensselaerwyck a number of counter-charges, in justification of the measures which they had adopted, or as an offset to those accusations made against themselves.

They had, it was averred, exceeded their lawful limits, and were now called on to record their boundary lines in the land-office of the Company, otherwise the latter would have the survey made by its own orders. They had attempted, against all law, to extend their lines along the North River, to monopolize the trade, to the ruin of private persons. They refused to permit any vessel to pass by a certain house, called Rensselaers-Stein, and claimed, without any foundation, the privilege of

staple right. They exacted seven per cent. duty on each beaver and five per cent. on other goods, enforcing these pretensions with cannon shot, which they discharged into yachts that refused to come-to. They have endeavored, "by perverse machinations," to possess themselves of Fort Orange, and when frustrated herein, they undertook to lease lots in its vicinity and erect buildings thereupon. "They had dared to grant commissions to individuals to sail to the coast of Florida," and forbade colonists to move within the company's limits, on pain of corporal punishment, confiscation of property and banishment; to cut or cart wood for the inhabitants of Fort Orange; to pay to the latter what they owed them; or to appeal from any judgments over fifty guilders, as they were privileged to do. They declined to furnish any extracts of their proceedings or judgments; to make returns to writs of appeal; to publish placards, or permit such publication by others, but tear them by force from the hands of court messengers, and destroy their seals; and if any writ be served by the company's officers, they incite the parties summoned not to appear. Over and above all this, the oath which the colonists are compelled to take is "seditious and mutinous;" for no notice is taken therein, either of their High Mightinesses or of the company. No report has been made of the state of the colony, as should have been annually done, nor have the instructions issued for the administration of the colony been ever communicated, as the charter required. "From all which flow, as a natural consequence, an insolent and overbearing demeanor, on the part of their commanders, to their inhabitants; insufferable protests, injuries, menaces, disputes and provocations against the company's ministers; and, lastly, a general disobedience of all the company's commands and ordinances, to such a degree that they would not permit the Director and Council to proclaim even a day of prayer in the colony in the same manner as in all other parts of New Netherland."

The limits between Fort Orange and the colony were, in 1654, still undetermined. Some confusion as to jurisdiction necessarily ensued, to remove which Director-General Stuyvesant called again on the patroon's agents to fix on their point of departure, as he was willing to allow them, agreeably to the charter, four miles on one side or two on each bank of the river, "without the limits of Fort Orange." The magistrates of the colony being unprovided with instructions from their superiors, requested delay; and Stuyvesant seized an opportunity which offered, shortly after, to enlarge his

jurisdiction. The Court of Rensselaerwyck was about to farm the excise, and demanded how far they could collect this impost. The answer was an order to the Court of Fort Orange to collect the duties on all wines, beers and spirituous liquors sold by retail "within a circuit of one thousand rods of the fort." The colony was hereby deprived of a very important source of revenue, and fresh fuel was heaped on the old fires of litigation and trouble. As if the elements of strife were not sufficiently numerous, a claim for tenths was also put in. Counter-orders were given by the patroon's officers to their vintners to refuse the payment of the excise, on the ground that the general government defrayed none of the local charges; and, as for the tenths, "neither the inhabitants of the colony nor those of Beverwyck could be induced, either by monitions or persuasions, to pay them."

Commissary Dyckman, whose violent demeanor might, long ere this, have justified doubts of the soundness of his mind, became now so unquestionably insane that the magistrates were forced to represent his condition to the Supreme Council, which, thereupon, appointed Johannes de Decker Vice-Director, "to preside in Fort Orange and Village of Beverwyck, in the Court of Justice of the commissaries aforesaid, to administer all the affairs of police and justice, as circumstances may require, in conformity with the instructions given by the Director-General and Council, and to promote these for the best service of the country and the prosperity of the inhabitants."

The difficulties about the excise in the colony remaining still unsettled, orders were sent up by the Director and Council to arrest and convey the contumacious tapsters to New Amsterdam. De Decker, accordingly, invited one of them to his house, where, on his arrival, he made him prisoner. The sloop in which he was to be conveyed down the river not being ready to sail until the next day, De Decker, for greater security, lodged his prisoner, through the night, in the same bed with himself. Through the connivance of the soldiers on guard, the tapster contrived to escape from the fort on the morrow, and repaired forthwith to the patroon's house. Hither De Decker followed, and ordered him to return to the fort; but he refused. The other tapsters now made common cause with the fugitive, and, arming themselves, remained together to protect each other from the emissaries of the law. The Vice-Director, esteeming it an absurdity to suffer an asylum for fugitives from justice to exist in the very center

of his jurisdiction, was preparing to execute his orders by force, when John B. Van Rensselaer pledged himself to repair to the Mannhattans and arrange the matter with the supreme authorities. To avoid bloodshed, De Decker acquiesced in this proposal; but another order arrived a few days afterwards, directing him to send down the tavern-keepers forthwith.

In obedience to these instructions, he proceeded with an armed posse to the houses of the parties, where he again met Van Rensselaer and "his associates." He summoned them, in the name of the Director and Council, to surrender and accompany him to the fort; whereupon they each answered, "There sits the lord; he will answer for me." Van Rensselaer acquiesced herein, and again bound himself to produce the tapsters when required. De Decker, finding it useless to continue the discussion, protested, and Mr. Van Rensselaer proceeded to New Amsterdam. Here, on his arrival, he presented a strong remonstrance against the course which the Government was pursuing. Their exactions, he insisted, were contrary to the Charter. Instead of the Directors having any claim on the patroon, the contrary was the fact.

The West India Company had guaranteed to defend the colonists against all violence, yet the latter had thrice come forward, at great expense, to assist Fort Orange—first, during the war with the French savages; secondly, in the trouble with the English; and, lately, during the unhappy misunderstanding with the Indians around the Mannhattans. Whenever there was any prospect of trouble, they were the first to appease the savages by presents. The losses which the latter inflicted on the colony, by the killing of cows, horses and other cattle, amounted annually to several thousand guilders. In addition, the patroons and Co-directors maintained, at their own expense, all the ministers and officers of the colony. In the face of these facts, it was manifestly unjust to seize now on the excise, and to insist on the payment also of the tenths. However, to prevent all further disturbance, he was willing to permit the payment of the former under protest, if the Director and Council pledged themselves to refund the money, should a final decision be given against them by impartial judges, either here or in Holland.

This remonstrance was at once pronounced "frivolous" by the Director-General and Council, whose "high office and quality permit them not to stoop so low as to enter the lists with their subjects

and vassals, much less to answer their frivolous and unfounded protests with a pusillanimous diffidence." Their duty was rather "to correct such absurd assertions, and to punish the offenders." Wherefore, as a public example, the protestor was fined twenty guilders.

Having thus, as they considered, vindicated their dignity, Van Rensselaer was informed that his colonists were bound equally with other settlers in the Province to contribute to the public burdens, not only by the very nature of civilized government, but by the Charter of 1629; and this they ought to do, without suspecting any infraction on their privileges or jurisdiction. The excise due from this colony, which amounted, by estimate, to fifteen hundred guilders, must, therefore, be paid, together with all damages which may have accrued by the delay. The tavern-keepers must, moreover, submit to the gauging of their stock as often as the same may be required; and as John Baptiste Van Rensselaer was himself the original cause that the excise is resisted, he was called on to give a bond of three thousand guilders for the personal appearance of the "contumacious tavern-keepers;" otherwise, he was to remain at the Mannhattans under civil arrest.

The Director and Council, also, insisted that the colony was obliged to pay the tithes. If Mr. Van Rensselaer would agree with some of his colonists on a round sum, in lieu of these, it would be accepted until instructions should be received from Holland; if the Directors or arbitrators should decide afterwards that the colony was not subject to tithes, the amount paid should be reimbursed. The assertions that the colonists assisted the Company in its difficulties "were made, but not proved." It is true they promised to assist in putting Fort Orange in a state of repair at the time of the troubles with the English; but it was not less true that, after having given three or four days' labor, "they left us to shift for ourselves." The Director and Council were entirely ignorant of being under any obligations to them "during the late troubles."

This rejoinder was followed by a proclamation, ordering all the towns and colonies in the province not to remove their crops before they settled with the company's commissaries for the tenths. A copy of this placard was sent for publication to the authorities of Rensselaerwyck, but they refused to publish it.

It was during this misunderstanding that the "contumacious tapsters," having been guaranteed by the Director and Court of the colony against damage, arrived at the Mannhattans to answer for

their conduct. The plea of residence in the colony and of acting according to superior orders, availed them nothing. One was fined two hundred pounds, failing payment of which he was to be banished; the other was mulcted in eight hundred guilders. The patroon subsequently made good both these fines. The difficulties about the tenths were not settled until July, 1658, when the colony compounded for them by the yearly payment of three hundred schepels of wheat. \* \* \*

Jeremias Van Rensselaer succeeded his brother Jan Baptist as Director of the colony in 1658, and administered its affairs for sixteen years with great prudence and discretion. He was much respected by the French, and exercised an influence over the Indians surpassed only by that of Van Curier.

On the change of government and the breaking out of the war, considerable difficulty was experienced in obtaining a patent for the Manor from the Duke of York. To obviate this, some persons of influence advised him to take out one in his own name, he being qualified as a British subject to hold real estate. To his great honor it is recorded, that he rejected the offer, for he was only co-heir and could not thus defraud his brothers and sisters. He was a man of great industry, and communicated to Holland an account of various occurrences in this country under the name of the "New Netherland Mercury." His correspondence, from 1637 to his death, still in good preservation, affords a valuable and interesting commentary on private and public affairs, and contains a relation of facts and incidents which otherwise would be irreparably lost. He died on the 12th October, 1684, and was followed to the grave by a large concourse of mourners.

The Rev. Isaac Jogues, a French Jesuit, taken captive by the Mohawks, and suffering every torture, finally made his escape to Fort Orange and visited New Amsterdam. This was in 1642-43. He was kindly treated in both places. Falling into the hands of the Mohawks a second time, he was treacherously and barbarously murdered in October, 1646, in the fortieth year of his age. He speaks, in nearly these words, of Fort Orange and Rensselaerwyck: "There are two things in this settlement \* \* \* ; 1st, a wretched little fort, called Fort Orange, built of stakes, with four or five pieces of cannon of Breteuil and as many swivels. This has been reserved, and is maintained by the West India Company. This fort was formerly on an island in the river; it is now on the mainland towards the Iroquois, a little

above the said island; and, a colony sent here from Rensselaer, who is the patroon. This colony is composed of about 100 persons, who reside in some twenty or thirty houses built along the river, as each one found it most convenient. In the principal house resides the patroon's agent. The minister has his apart, in which service is performed. There is also a kind of bailiff who administers justice. All their houses are merely of boards and thatched. As yet there is no mason work, except the chimneys. The forests furnishing many large pines, they make boards by means of their mills, which they have for the purpose. They found some pieces of ground all ready, which the savages had already prepared, and in which they sow wheat and oats for their beer and horses, of which they have a great stock. There is little land fit for tillage, being crowded by hills, which are a bad soil. This obliges them to be separated one from the other, and they occupy already two or three leagues of territory. Trade is free to all. This gives the Indians all things cheap, each of the Hollanders outbidding, and being satisfied, provided he can gain some little profit."

Most who came over in the early years of New Netherlands came because they were not wanted at home. They belonged to the over-plus class who have no steady employment, no fixed homes, no friends, no character. They shipped as servants, as farmers and planters. But of these last there were, as to-day, various grades. So was it with the numbers who came as hunters, trappers and traders. Fishermen and sailors and soldiers were represented. Also some mechanics; as we find men registered as tailors, shoemakers, bakers, coopers, carpenters, masons, painters, wheelwrights and rope-makers. But few were master mechanics among these first settlers of Rensselaerwyck. The maltster and brewer are specially noted. The clerk at Fort Orange is named, and so is a surgeon, Staes, by name, in 1642, and a Consoler of the Sick, who is said to have served as a teacher of boys when he had nothing else to do. The girls in that day were not often taught "book learning." The schoolmaster is referred to a few times in that elder day; but he had only a name to live. Trading in furs paid better than teaching. The clergyman will be spoken of further on. As nearly as we can make out, the first was sent over by the patroon, and had but little encouragement among a people who had no religion, and cared for neither grace nor learning. We do not include the leaders and public

officers in these statements. Some of them were men of marked ability. Among the later comers we find women, wives, maidens, nurses and servants mentioned.

The early immigrants to New Netherlands are generally spoken of as Hollanders, or Dutch. Undoubtedly this is true of the majority. But not a small proportion are known to have been Walloons, or French Protestants of like faith with the Huguenots. Few came after the English conquest. But among those who came over in ships before that time as traders, farmers, trappers and servants, we find Swedes, Danes, Norwegians, Swiss, Portuguese, Scotch, and men from Friesland, Hamburg and Bremen; from Picardy, Calais and Paris; from Utrecht and Normandy, and a few other places. None are named from England. They went to Virginia or New England. The Catholic French went to Canada and Arcadia; the Spaniards to South America and Mexico.

#### STUYVESANT AND THE ENGLISH CONQUEST.

The stormy administration of Peter Stuyvesant had come to its end. The imperious and arrogant autocrat was humiliated. One man had come with a power which his threats could not alarm; who could not be arrested and imprisoned at his bidding.

In the learning of his day, Stuyvesant was superior to the other Directors-General of the West India Company. He was far above Van Twiller and Kieft in character. We believe he was honest, clean, and even religious. His self-reliant energy of character made him a man of extraordinary administrative ability. But his impetuous self-will made his conduct sometimes reckless, and seemingly unscrupulous.

He had much to do, as he must have seen, to organize a government made up of such ill-assorted materials as New Netherlands. Here were congregated men of all nations, with no other purpose but gain—gain regulated as little as possible by law. He had succeeded the stupid and avaricious Van Twiller and the cowardly and wicked Kieft, both despised by all that had to do with them. He had much to mend.

He derived all his authority from "the Company," which was subordinate, in some respects, to the "States General." He was determined to advance the interests of his employers. His under officers he literally kept under himself—not often asking or regarding their opinions. He treated them as servants; he did not make them friends.

The people were so far removed from him in every point that could ever awaken sympathy and confidence, that he treated them only as cattle. It is true he thought they needed schoolmasters and religious teachers; but he did little to bring them under their influence. He had no respect for the laboring classes, except that they serve and obey. This they could do in silence, while they feared and hated the oppressor.

Then came in another element, the English—English from England or New England; all the same. He had learned something of their character, and would like them as subjects. He admired their intelligence and energy. He needed it. But he feared their indomitable push and inflexible love of freedom. But they came, encouraged by him, and soon occupied lands upon Long Island, and any place of profit or power which they could find open in New Amsterdam. When "Peter the Headstrong" opened his gates to these people, he received into his fort the Wooden Horse.

When Stuyvesant came into power, in 1647, the whole population of New Netherlands amounted to about one thousand souls, a falling off, since 1643, of 2,000 under Kieft's foolish reign, while the New England colonies had increased in about the same number of years, to nearly 60,000. And these "Yankees" were free-born Englishmen who had their free churches, and their free schools, and attended them; who cherished their homes and tilled their lands; who made their own laws and chose their own men to execute them. While they loved their own homes, they were always seeking to make them better; when they sought new places, it was to make them better than the old. They took with them their principles and their institutions, and did the best they could with them, with no unnecessary delay, no timid lack of self assertion.

Coming to Manhattan, few at a time, yet rapidly increasing compared with the Hollanders, using the present, and waiting for the future, they solved the problem of English sovereignty in 1664, and of free government about one hundred years later.

While Stuyvesant was successfully reducing the savage Indians near Manhattan and at Esopus, and removing the inoffensive Swedes on the Delaware; while he was vainly endeavoring to subject Connecticut, and violently resisting the claims of the patroon of Rensselaerwyck, and quarreling with his own officers at New Amsterdam, he was losing what he ought to have seen he would lose, the affection and respect of all classes. All men of his character are blind. His house was a house divided against itself. The struggle for popular rights

was deeper and stronger than he knew. It was pent up much in men's minds. It slept as sleeps the mighty earthquake. It kept up a constant muttering like distant thunder.

The election of eighteen "respectable persons," from whom the Governor selected a Privy Council of "Nine men," was a gain for the people, even if they had power to give advice only when it was asked. The establishment of a republic in England, as brief and faulty as it was, after the beheading of Charles I, in 1649, produced a profound sensation all over the then civilized world. It was felt in New Netherlands because it was felt in Holland and in New England. Tyranny quaked; freedom gained.

When the people openly discussed the wickedness of Kieft, Stuyvesant became alarmed that they had come to this, that the acts of Governors could be criticized. When the "Nine men" severely censured Gov. Stuyvesant himself for his trading in fire-arms, and other articles, "both lawful and contraband," and even sent to the Fatherland a remonstrance against the habit of arresting, of confiscating, and covetous speculations in trade and manufactures, he became still more alarmed. The "States" rebuked him for his course. "The Company" sustained him. Thus the conflict went on. We need not further detail matters that did not immediately affect Beverwyck and Rensselaerwyck. These details belong to general history. We here only indicate the causes at work to bring an end to the government of Stuyvesant and the Province of New Netherland at the same time.

In another place we have spoken of the English claim. England had never yielded this claim. It had only awaited its opportunity. The English Revolution of 1649 was ended, and harmony was re-established in the person of Charles II. The good-natured King had kindly given to his brother James all the territory that had been occupied and governed under the name of New Netherlands. This was done on the 12th of March, 1664, thus expelling Holland from the New World. The time had come to take possession.

The province had fully 10,000 inhabitants; and New Amsterdam had grown up to a population of 1,500. There was general satisfaction among the people, with their lands and their trade. But they did not like the government. They were ready for a change, hoping for something better.

The Duke of York placed Col. Richard Nicolls in command of the expedition to "reduce the Dutch to subjection," and establish his claim.

On the 31st of July, 1664, Gov. Stuyvesant had gone up to Fort Orange for rest and business, not

dreaming of the approach of an English squadron. Soon he was recalled by a messenger. He returned August 25th, to find business suspended and general alarm in New Amsterdam. There were four English frigates in the bay, near Sandy Hook; and a few days later three more were seen in Nyack Bay. The excited chief magistrate sent for help to Fort Orange; but it was too late.

Beverwyck and Rensselaerwyck could send no help. The defenses of New Amsterdam were not equal to a siege. Its crumbling fort was built only as a protection against the hatchets, arrows and musket balls of the savages; the enclosure was unprotected by ditch or palisade; there were not 500 pounds of powder; not a well of water in the fort, and provisions were low. The small garrison was composed of the off-scourings of Europe, worthless, dissolute men, ready to fight for pay under any banner.

Worse than all, the Governor had not the support of his Council or of the citizens. The peremptory summons, made August 30th, to surrender, was, after a brief delay, in useless remonstrance with Commander Nicolls, reluctantly heeded without bloodshed. On the 8th of September, Stuyvesant signed the articles of surrender, and the English took formal possession in the name of James, Duke of York and Albany. New Amsterdam was named New York, and Fort Amsterdam was named Fort James.

Fort Orange next received attention. The attempt of Johannes de Decker, who hurriedly took a trip up the Hudson to persuade the garrison of Fort Orange and the people of its vicinity to resist any demand for surrender which the English might make, was fruitless.

On Wednesday, September 10th, Nicolls sent Sir George Cartwright, with a small company of soldiers, to Fort Orange with the following orders:

"To the present Deputy Governor or the magistrates and inhabitants of Ffort Aurania:

"These are to will and require you and every of you to bee ayding and assisting Col. George Cartwright in the prosecution of his Majesty's interest against all such of what nation so-ever as shall oppose the peaceable surrender and quiet possession of the ffort Aurania, and to obey him, the said George Cartwright, according to such instructions as I have given him in case of the Mohawks or other Indians shall attempt anything against the lives, goods or chattels of those who are now under the protection and obedience of his Majesty of Great Brittain; wherefore you nor any of you are

to fayle as you will answer the contrary at your utmost perills.

"Given under my hand and seal att Ffort James in New Yorke on Manhattans Island, this 10th day of September, 1664.

R. NICOLLS."

When the paper of Col. Nicolls was presented to the Vice-Director, John de La Montague, on the 24th of September, he quietly surrendered Fort Orange to Col. Cartwright. The names of Beverwyck Village and Fort Orange were, at once, changed to Albany. Fort Albany was manned by English soldiers, and Capt. John Manning was put in command. Dirck Van Schelluyne, who had held the office in Beverwyck, was made Clerk of the Court of Albany, which had been established by Stuyvesant. Jeremias Van Rensselaer took the oath of allegiance to King Charles II. of England and the Proprietor James.

Thus we have brought down the Civil history of New Netherlands, so far as connected with that of Albany County, to the English Conquest of 1664. With all his great faults, there is much to admire in the character of Peter Stuyvesant. He did his best, under most trying circumstances, to serve faithfully his government. He was true to the last. After he found everything against him, he settled down, a peaceful citizen, and lived a secluded life, on his own "Bowerie," in the City of New York, and there died in 1672. His remains were entombed at his Chapel in the Bowery, where is now St. Mark's Church.

His country vindicated his conduct. But whatever good, in the Providence of God, may have grown out of them in the history of our Nation, there is but one voice among the careful students of history, in reviewing the transactions of the English government at this time, and that is one of the severest condemnation.

## ORGANIZATION AND DIVISION OF THE COUNTY.

On the 17th of October, 1683, the first "General Assembly" of the "Colony of New York," chosen by "the planters or inhabitants of every part of the government," met at Fort James, in the City of New York, with "free liberty to consult and debate among themselves all matters as shall be apprehended proper to be established for laws for the good government of the said Colony of New York and its dependencies."

The warrants calling this assembly were issued by Lt. Gov. Thomas Dongan and council, on the 13th of September preceding. The Duke of York

and Albany had given his unwilling consent in obedience to the clamors of the people, the wise counsel of William Penn, and his own self interest. Coming to the throne of England as James II, in 1685, he withdrew his consent and dissolved the assembly the year after.

But the people had, after years of struggle, met in lawful assembly and put on record, in fitting words, the "Charter of Liberties and Privileges," such as they would have, and passed other laws. They had placed New York by the side of Virginia and Massachusetts in the claim for heaven-born rights.

Among other similar warrants, it was "ordered that the Sheriff of Albany and Ranslaers Colony cause the freeholders to meet and choose two persons to be their representatives in the General Assembly, to be holden at the City of New York, Octobr ye 17th, 1683."

It would be interesting to know when, where, and how these "office holders voted at this, their first general election in this county; but history is silent on this point, nor can the names of the "two representatives" be found. The journals of this assembly are lost. Richard Pretty, who served the warrant, an Englishman, was the Sheriff from Oct. 1680 to March 1691. He died in 1695.

Among the Acts passed, was one "To divide this province and dependencies into shires and countyes,"—"for the better governing and settling the courts in the same." It was also enacted, "that there shall be yearly and every year, an High Sherriffe constituted and commissioned for each county, and that each Sherriffe may have his under Sherriffe Deputy or Deputyes." All laws had the concurrence of the Governor and Council, who were in session at the same time.

This Act, dated Nov. 1, 1683, divided the province into twelve counties, viz: New York, West Chester, Ulster, Albany, Dutchess, Orange, Richmond, Kings, Queens, Suffolk, Dukes, and Cornwall, the two latter taking their territory in Massachusetts and Maine." "The County of Albany to containe the Towns of Albany, the Collony Renslaerwyck, Schonecteda, and all the villages, neighborhoods, and Christian Plantacons on the east side of Hudson River from Roelof Jansen's Creeke, and on the west side from Sawyer's Creeke to the Sarraghtoga."

It will be seen that the names of these counties are English. Subsequent divisions gave names very largely in honor of our own patriots and statesmen, while a few preserve the memory of our

native Indian tribes. The Scotch title of King James II. gave name to Albany County.

At a session of the Council, held at Fort William Henry, in New York City, Oct. 1, 1691, another "Bill for dividing this province and dependancies into shires and countyes" was enacted, chiefly confirmatory of the above. In describing the County of Albany, there was the omission of "the Town of Albany;" a substitution of "Mannor of Ranslaerswyck," for the "Collony of Renslaerwyck," and "to the uttermost end of Sarraghtoga," instead of "to the Sarraghtoga."

At a session of the Council, held at Fort George, in New York City, May 27, 1717, the county was further enlarged by "An Act for annexing that part of the Mannor of Livingston which now lyes in Dutchess County, unto the County of Albany."

The Counties of Dukes, consisting of Nantucket, Martha's Vineyard, Elisabeth Island and No Man's Land, now in Massachusetts, and Cornwall, consisting of Pemaquid and adjacent lands and islands, now in Maine, which were included in the patent to the Duke of York, were set off on the reorganization of the colonial government about 1691, soon after the abdication of King James II, and the succession of William and Mary to the English throne.

From this time until 1770, the colonial government continued with these ten original counties, and with but slight territorial changes. They were not surveyed, and their boundaries were loosely defined. That of Albany, especially, was vastly larger than those early Governors and Legislators knew, embracing the whole territory lying north of Ulster and west of the Hudson River, and taking in nearly the whole State, even to Canada and the Lakes; and north of Dutchess, on the east side of the Hudson, including the whole of what is now the State of Vermont. Indeed, the State of Vermont and the fifty counties of the State of New York, erected since this date, were all formed from the original territorial limits of the Albany County of 1683 and 1691, except Putnam, Sullivan, Rockland, and part of Green and Delaware.

The ten thus formed directly from Albany Co., are chronologically as follows, viz:

1. Gloucester, March 16, 1770, including what is now Orange, Washington, Caledonia, Orleans, and Essex, Vermont.

2. Tryon, March 12, 1772, changed to Montgomery, April 2, 1784, from which and the wilderness then known only as Indian land, the counties west of Green, Schoharie, Schenectady, Saratoga, and the Adirondacks, have since been formed.

3. Charlotte, March 12, 1772, changed to Washington, April 2, 1784, from whose territory have since been erected Warren, Clinton, St. Lawrence, Essex, and Franklin.

4. Cumberland, April 4, 1786, covering the present Counties of Bennington, Windsor, Windham, Rutland, Addison, and Chittenden, Vermont.

5. Columbia, April 4, 1786.

6. Rensselaer, Feb. 7, 1791.

7. Saratoga, Feb. 7, 1791.

8. Schoharie, April 6, 1795.

9. Greene, March 25, 1800.

10. Schenectady, March 7, 1809.

What a mother of counties is old Albany!

The boundaries of the county are defined by sundry statutes, and at different periods, in connection with the formation of other counties from its territory. This is done in Chap. 63, Laws of 1788, passed March 7, when it included what are now Rensselaer, Saratoga, and Schenectady and a part of Washington, Schoharie, and Greene Counties; in Chap. 4, Laws of 1791, passed Feb. 7, when Rensselaer and Saratoga, and a part of Washington Counties, were set off. In this Act, Rensselaer County, on Hudson River, is described as "on the east side of a line drawn through the middle of the main stream of Hudson's River, with such variations as to include the islands lying nearest the east bank thereof," being adjacent to Albany County on the west of such line. And the County of Saratoga, so far as it is adjacent to Albany County on the Mohawk River, is defined as bounded, "southerly by the middle of the most northerly branch of the Mohawk River and the middle of the said river." "And the bounds of the several towns in the said respective counties, adjacent to and limited by the Hudson's River and Mohawk River, are hereby extended to and limited by the bounds of the said respective counties herein described."

Chap. 163, Laws of 1801, passed April 7th, names the towns of Schenectady, Princetown and Duanesburgh, now in Schenectady County, and Berne, Bethlehem, Coeymans, Rensselaersville and Watervliet, describing their limits, as belonging to Albany County, besides the City of Albany.

Chap. 65, Laws of 1809, passed March 7th, sets off Schenectady County with minutely described bounds, and declares "that the remainder of the County of Albany shall be called and known by the name of County of Albany."

This was three-quarters of a century ago, and old Albany has given birth to no more children. Schenectady is its youngest. Physically it has retained its outward features, all the same, for 75

years. But time and toil have wrought changes in her internal constitution. The potent voice of the law has always been directing changes. But she is still "at home," and ever ready to welcome her numerous sisters, children, and grandchildren, as they come up to visit her, at their annual convocations.

As the county now exists, its form and boundaries may be thus described: It is bounded on the north by the counties of Saratoga and Schenectady; on the west by the County of Schoharie; on the south by the County of Greene, and on the east by the County of Rensselaer. The Hudson River boundary, dividing Albany and Rensselaer counties, is described by "a line drawn through the middle of the main stream" of said river, "with such variations as to include the islands lying nearest to the west banks thereof within the limits of Albany County. The boundary between Albany and Saratoga counties is made by a line beginning at a point in the middle of the main stream of Hudson River in the westerly boundary of Rensselaer County, opposite to the middle of the most northerly branch of the Mohawk River, and running thence through the middle of said northerly branch and of the said Mohawk River westerly, to a point in said river where it is nearest the north line of the manor of Rensselaerwyck, at Niskayuna." Its northern and southern boundaries are supposed to be parallel; as are, also, its eastern and western, each following the variations of the current of the Hudson. Its general form is rhomboidal. That so old a county has never had a complete and accurate survey is a matter of surprise and regret, which will remain, probably, until the present State survey is accomplished.

When this county was created in 1683, it had no towns with corporate limits. Albany received a charter from Gov. Dongan, dated July 22, 1686, declaring "that the said City of Albany, and the compass, precincts and limits thereof, and the jurisdiction of the same, shall from henceforth extend and reach itself, and shall and may be able to reach forth and extend itself, as well in length and in breadth, as in circuit, on the east by Hudson's River, so far as low water mark; to the south, by a line to be drawn from the southernmost end of the pasture at the north end of the said island, called Martin Gerritsen's island, running back into the woods sixteen English miles due northwest to a certain kill or creek, called the Sandhill; on the north, to a line to be drawn from the post that was set by Gov. Stuyvesant, near Hudson's River, running likewise northwest sixteen English miles; and

on the west, by a straight line to be drawn from the points of the said south and north lines."

In 1687, Gov. Dongan, in his report to the English Board of Trade, says: "The town of Albany lyes within the Ranslaers' Colony; and, to say the truth, the Ranslaers had the right to it, for it was they settled the place, and upon a petition of one of them to our present King, about Albany, the petitioner was referred to his Majesty's council at law, who, upon a perusal of the Ranslaers' papers, made their return that it was their opinion that it did belong to them. \* \* \* The town itself is upon a barren sandy spot of land, and the inhabitants live wholly upon trade with the Indians. I got the Ranslaers to release their pretence to the town and sixteen miles into the country for commons to the King, with liberty to cut firewood within the colony for one and twenty years. After I had obtained this release of the Ranslaers I passed the patent for Albany."

This "Ranslaers' Colony," otherwise the "Manor of Rensselaerwyck," was erected into a district, March 24, 1772, and subdivided soon after the war of the Revolution, March 5, 1779, into east and west districts. The west district included the whole of the territory now called Albany County, except the City of Albany as above described, and certain State lands, so called, located in the northeast part of the town of Watervliet. All the rights therein remaining to the Patroon, the late Hon. Stephen Van Rensselaer, of revered memory, upon his death, January 26, 1839, descended to his son Stephen, while those of the east district, formerly including most of Rensselaer and a part of Columbia counties, descended to his other son, William P.

It will thus be seen that the whole territory of this county was once included within the Colony of Rensselaerswyck, the history of which appears under its appropriate head.

With the exception of the City of Albany, the whole of the territory now called Albany County, and including most of that now constituting the town of Niskayuna, in Schenectady County, was incorporated March 7, 1788, into a town by the name of Watervliet. Niskayuna was set off March 7, 1809, making the county limits coincide with those of the west Manor of Rensselaer.

From this territory the following towns in Albany County have since been incorporated:

<i>Names.</i>	<i>Date.</i>	<i>From what other town.</i>
Rensselaerville.	March 8, 1790.	Watervliet.
Coeymans.	March 18, 1791.	"
Bethlehem.	March 12, 1793.	"

<i>Names.</i>	<i>Date.</i>	<i>From what other town.</i>
Berne.	March 17, 1795.	Rensselaerville.
Guilderland.	Feb. 26, 1803.	Watervliet.
Colonie.	April 11, 1808.	"
Westerlo.	March 16, 1815.	Coeymans & Rensselaerville
Knox.	Feb. 28, 1822.	Berne.
New Scotland.	April 25, 1832.	Bethlehem.
Cohoes.	May 19, 1869.	Watervliet.

The local history of these towns, as fully as space will allow, will be written by others. We give a summary of some facts of general interest.

It will be seen that no town organization existed in Albany County until after the Revolutionary war and the adoption of the Federal Constitution, when Watervliet, as above stated, was organized March 7, 1788. Before this, except what jurisdiction inhered in the Manor of Rensselaerwyck, all civil, judicial, and other matters of common interest, were managed at Albany, made a city more than 100 years prior to this date. The City of Albany was then, except in territory, *the County*—the center of business, of military and civil power, and of social interest.

#### OUTLINE SKETCHES OF THE TOWNS OF THE COUNTY.

**BERN.**—More recently and generally spelled Berne; named from Berne, Switzerland, the native place of Jacob Weidman, one of the first settlers. It was formed from Rensselaerville, March 17, 1795, and embraced what is now the town of Knox, which was taken off from the north part February 28, 1822. It is the middle of the three western towns of the county; about 20 miles from Albany; has an area of 38,782 acres, and is bounded north by Knox, east by New Scotland, south by Westerlo and Rensselaerville, and west by Schoharie County. The Helderbergs lie along its eastern border, the western slope of which gives a broken surface, varied by hills, ravines and plateaus. The soil is a loam formed of sand, gravel and clay; a fine calcareous, argillaceous loam abounds in the valleys; and marsh, bog, clay and marl patches are found. Brooks are numerous, most of them finding their way to Schoharie creek. The lofty ledges of the hills on the eastern border are interesting natural features. Thompson's Lake, on the Helderbergs, and White Sulphur Springs, in Berneville, are places of much resort.

Good flagging stone is quarried near Reidsville, and mineral springs and limestone caverns are found in the town.

The first settlers were mostly Germans who came and occupied manorial lands about 1750. A

number of Scotch settlers came about the time of the Revolutionary war.

During the anti-rent troubles, this town had more leased lands than any other in the county. The number has been rapidly decreasing by settlement of claims, much to the advancement of intelligence, independence and wealth. The anti-rent feeling arose to its highest pitch in this town, leading to deeds of violence and outrage.

There were many Tories in this territory during the Revolutionary war. Here, it is said, was a rendezvous for them, where plans were made, and from which went forth bands to co-operate with the Indians in their cruel barbarities against the patriot settlers. In 1777, out of a company of 85 militia raised here, 63 joined the British, and 22 were with the Americans against Burgoyne, at Saratoga. In 1779, Capt. Dietz and two boys, named John and Robert Brice, were taken captives from the western part of this town. Dietz died at Montreal, and the boys, after the war was over, were exchanged and returned home.

Berneville, once called Beaver Dam, was stockaded during the Revolutionary war.

The first church established was the Dutch Reformed, in 1763, which received, as its first pastor, Rev. Johannes Schuyler, in 1767. A parsonage farm, given by the Patroon, is situated about midway between Peoria and Berneville, and is held in common by societies in both villages. This is the oldest church in the county, outside of Albany.

Among the prominent natives of the town are Hon. Joseph P. Bradley, of the United States Supreme Court; the widely known Capt. A. H. Bogardus, Albert Gallup, County Treasurer, and others.

**BETHLEHEM.**—It is stated that several farmers who came at an early date to Beverwyck began another settlement, south of Fort Orange, to which they gave the name of Bethlehem, with reverent regard for the city of Palestine, where our Saviour was born.

It is believed that the first trading house in this county was erected in 1614, upon Castle Island, in the Hudson, by Dutch traders under the lead of Skipper Corstiaensen. This island, containing about 160 acres of land, is in this town, opposite that part of Albany which was set off from Bethlehem in 1870. It has been designated by various names, but is now called Van Rensselaer or Westerlo Island. In the original charter limits of the City of Albany in 1686, it is called Martin Gerritsen's island. The trading house was stockaded and garrisoned as a protection against predatory traders

and hostile Indians, and named Fort Nassau. Two or three years later it was moved by Elkins to the elevation near the mouth of the Tawasentha, on account of the spring floods. Here it probably remained until the erection of Fort Orange, in Beverwyck, in 1623.

As a township, Bethlehem was erected from Watervliet, March 12, 1793, including what is now New Scotland, which was taken off April 25, 1832, and the southeast part of Albany, which was taken off April 6, 1870. It has an area of 31,549 acres, including Van Rensselaer and other islands in the Hudson, west of the middle of the stream. It is bounded, north by Albany, east by Hudson River, south by Coeymans, west by New Scotland.

Its surface consists chiefly of rolling upland, with high bluffs rising above the fertile alluvial flats on the Hudson. There are ridges of sand and rock near the center. The soil, under good tillage, produces a great variety of fruits, vegetables and other farm and garden products for the near Albany market.

A few small caves and sulphur springs are found.

The exact date when the early Dutch farmers began to occupy the river lands of this town cannot now be known; probably between 1630 and 1640. Albert Andriessen Bradt, de Norman, came over in 1630, and had a farm and mills on Norman's Kill, which was named for him. Adrien Van der Donk, Martin Gerritsen, and Cornelis Segers, early occupied Castle Island. Ryckert Rutgersen and Jan Ryersen were settlers about 1650. The territory now, or until recently, called Bethlehem, has been occupied by many distinguished persons. Philip S. Van Rensselaer, for more than twenty years subsequent to 1798 the Mayor of Albany, had his seat at Cherry Hill. He was succeeded by his son, Gen. Solomon Van Rensselaer, and by his son-in-law, Dr. Peter E. Elmendorf. Here was born Mrs. Catharine V. R. Bonney, author of "Historical Gleanings." Here lived John Whipple, a worthy citizen, who was shot by Strang in 1827. Near Mount Hope, which now is the Academy of the Sacred Heart, lived Jared L. Rathbone, Mayor, 1838-41, who purchased "Rensselaer's Mills," and named the hamlet Kenwood, after a beautiful spot in Scotland which he had visited. Ezra P. Prentice for many years made Mount Hope a magnificent residence. The "Whitehall House," built in part by Gen. Bradstreet, which is said to have been a secret resort for Tories during the Revolution, was subsequently the home of Judge Leonard Gansevoort. The mansion of the venerable Col. Francis Nichols was situated on Bethlehem flats, which has

long been considered as furnishing some of the finest sites in the vicinity of Albany for homes and cultivation. The greenhouses of Erastus Corning, just below Kenwood, are very rich in rare exotics, and his large farm in choice horses and stock. This farm of 560 acres, and the residences of Hon. Worthington Frothingham, Erastus D. Palmer, the sculptor, and Judge Elisha P. Hurlbut, lying near the river, are worthy of special mention. Many of the busy men of Albany are making their homes in this town. Among them are the artist, Asa W. Twitchell; the book-seller, Stephen R. Gray; Attorney Nathan P. Hinman, Sheriff Wm. H. Keeler, Surveyor Wm. H. Slingerland, and others.

It is claimed that an Indian castle and burial place occupied a spot near the mouth of the Tawasentha, a long time ago. Here Longfellow, in his *Hiawatha*, has the home of his Indian "Singer Nawadaha," who "sang the song of Hiawatha." On a hill near by this stream, as tradition has it, was held the first council of alliance and aid between the Indians and the Dutch, about two and three-quarter centuries ago.

"In the vale of Tawasentha,  
In the green and silent valley,  
By the pleasant water-courses,  
Dwelt the Singer Nawadaha;  
Round about the Indian village,  
Spread the meadows and the cornfields,  
And beyond them stood the forest,  
Stood the groves of singing pine trees,  
Green in summer, white in winter,  
Ever sighing, ever singing.  
And the pleasant water-courses:—  
You could trace them through the valley  
By the rushing in the spring-time,  
By the alders in the summer,  
By the white fog in the autumn,  
By the black line in the winter;  
And beside them dwelt the singer,  
In the vale of Tawasentha,  
In the green and silent valley,  
There he sang of Hiawatha,  
Sang the song of Hiawatha."

The first church in town was formed in early colonial times by the Reformed Dutch. The "Parsonage farm," a tract of 100 acres, was given to the society in 1794 by Gen. Stephen Van Rensselaer.

Hon. Benjamin Nott resided here; and his son, Hon. John C. Nott, Hon. John M. Bailey, Rev. William Bailey, Hon. Jurian Winne, were born in this town.

COEYMANS was named from Barent Pieterse Coeymans, an emigrant from Utrecht, in 1636, who, having previously been a miller on Patroon's Creek and Normanskill, under lease from the Patroon, purchased land from the Katskill Indians, covering this territory, in 1673, and secured a patent

from Gov. Lovelace on the 7th April in that year. A conflict of title with Van Rensselaer resulted in the purchase of the Patroon's claims, paying a quit-rent of nine shillings annually, under date of October 22, 1706. August 6, 1714, he finally secured letters-patent from Queen Anne, confirming a perpetual title to him and his heirs. The patentee built the first mills at Coeyman's Falls, and settlements were made by the Dutch within the first years of the eighteenth century. Among the early settlers we find the names of Witbeck, Keefer, Traver, Verplank, Vanderveer, Ten Eyck, McCarley, Colvin and Shear.

The township was formed from Watervliet, March 18, 1791, including the eastern part of Westerlo, which was set off on the formation of that town, March 16, 1815. It has an area of 30,408 acres, including Beeren and other islands in the Hudson. It is the southeast town of the county, and is bounded, north by Bethlehem, west by Westerlo, south by Greene County, and east by the Hudson.

The surface rises from the river, with a bluff of from 200 to 400 feet, continuing, with broken ridges and hills, some 100 to 200 feet higher, to the Helderbergs. The soil is sandy in the eastern part, and gravelly in the western. Limestone and marl are abundant. Blue flagging stone has been quarried at Mossy Hill, and shipped since 1828. Magnesian springs and limestone caverns are found. The fossil remains of an animal like the elephant were found on the farm of Mr. Shear a few years since.

Hay is the leading farm product. There are many excellent farms in this town, especially upon the Haanakrois Creek, which have long been owned and cultivated by an industrious, frugal and intelligent class of citizens.

There has long been a landing at the mouth of Coeymans Creek, at the wharves of which is considerable trade carried on by the near farmers, manufacturers and merchants. John J. Colvin was for many years a successful shipper, now retired, and succeeded by Henry Slingerland. Ice-cutting is an important industry.

Rev. John Crawford, about 1789, organized the first Methodist class here, and a stone edifice for their worship was erected in 1793, said to have been the first Methodist church west of the Hudson. The celebrated Freeborn Garretson was presiding elder of an extensive district up and down the river. March 5, 1793, the Reformed Church, Rev. Jacob Sickles, pastor, was organized; in 1797 it built a large brick church.

The Coeymans Academy was established by Fletcher Blaisdell, Theophilus Civill and Peter

Seabridge, in 1858. The fine buildings for a new literary institution, recently erected by Anton Civil, of this town, are not yet opened. Sawmills were erected on the creek just north of Beeren Island as early as 1651.

The *Coeymans Gazette* was started in 1863, edited by Prof. Thomas McKee, who afterward took it to Greenbush and published it until his death as the *Rensselaer County Gazette*. The *Coeymans Herald* is published weekly by S. H. and E. J. Sherman.

For several years after the Revolution a few Oneida Indians called the Aquetucks resided in this town.

Among the prominent citizens of this town during the past century may be named John and James Colvin, John and David McCarty, Hugh Jolly, Archibald Stephens, Andrew and Anthony Ten Eyck, Abraham and Isaac Verplanck, Moses Stanton, Dr. Jesse Smith, Nathaniel Niles, John P. Beeckman, and many others. Hon. Andrew J. Colvin was born in Coeymans, April 30, 1808; was educated at Albany Academy under Dr. Beck; read law with Van Buren & Butler; began practice in Albany in 1830; has been Corporation Counsel, District Attorney and State Senator. He was in the Senate in 1861 when the Rebellion broke out, and has been spoken of as "the very first Democratic official who threw up a rocket in favor of equal constitutional freedom for all." He is now, at the age of seventy-seven, actively engaged in professional practice.

COHOES was formed from Watervliet and incorporated as a city, May 9, 1869. It previously, from April 12, 1855, had been an incorporated village of Watervliet. It has an area of 1,575 acres.

The history of this city is recent, and is, chiefly, a history of its manufactures. These are well written up by Rev. Wm. H. Johnson, and will appear in this work. The antiquities of this locality and its natural wonders are presented in an excellent manner, in connection with other points of interest relating to its growth and present condition, in "Masten's History of Cohoes," a volume reflecting great credit upon its painstaking author.

COLONIE, once an incorporated town and village, is entitled to a place in our history, although its existence as such was brief, and is now obsolete. Its name is still preserved in one of the streets of Albany.

The term "the Colonie" was undoubtedly applied originally to all the colonized territory of Rensselaerwyck. But it came to be limited, it

appears, to that portion lying outside of the City of Albany, especially north of it, in which were situated the mansion of the Patroon, with his mills and offices, the residences of his officers, and the homes of his immediate farmers, gardeners and other dependents. We find it frequently used in the time of Stuyvesant and other Dutch governors. "The limits of the Colonie were fixed above and below the fort," say the Directors of the West India Company in 1652. "The limits between Fort Orange and the Colonie were, in 1654, still undetermined." Some confusion as to jurisdiction between Gov. Stuyvesant and the Patroon's agents necessarily followed. The Governor was willing to allow the Colonie four miles on one side or two on each bank of the river, without the limits of Fort Orange. The question as to jurisdiction remained unsettled until 1664, when England assumed jurisdiction over the whole Province of New York, no longer New Netherlands.

During the years that followed the English conquest, "the Colonie" continued as a local designation of the district lying without the city, and north of it. Its southern limits were defined by Quackenbush street, and Patroon street, now called Clinton avenue. It was outside the stockade, which latterly had its palisades a little north of Orange and Van Tromp streets. When Watervliet was formed, in 1788, coextensive with the western district of Rensselaerwyck, "the Colonie" was, of course, a part of its territory. The Hudson marked its eastern limits; but its western and northern were not defined. It was understood to include the "Upper Hollow" and the settlements and business places therein, the Mansion House and its office, and the lands near them. Kenwood was the "Lower Hollow."

It was set apart as a district, March 31, 1791, and again, by an additional act, March 30, 1801. April 9, 1804, it was incorporated as a village in the town of Watervliet, and organized as a separate town, April 11, 1808, as described by the Legislative act following:

"Be it enacted, &c., That from and after the first day of April next all that part of the town of Watervliet, beginning at the west bank of Hudson's River and in the northeast corner of the bounds of the City of Albany, and extending northerly along the said river, about three-quarters of a mile, to what is called the Mill-creek: thence running westerly, one mile, up along the said creek: thence southerly with a line parallel to the said river, till it intersects the north bounds of the said city: thence easterly, along the said north bounds to the place

of beginning, shall be and is hereby erected into a separate town, by the name of the *Colonie*."

It was divided, February 25, 1815, and its legal existence as a town terminated by giving its territory to Albany and Watervliet. The Albany portion was made the "Fifth Ward" for many years.

It was a small town, less in area than any other town in the State. Its population in 1810 was only 1,406, and in 1815, 1,657, having 245 houses and stores, and thirty slaves. The houses and stores were principally on one street, except near Albany.

In 1818 an effort was made to restore it to town privileges, but did not succeed.

In *Colonie*, in 1813, were "the Public Garden of Mr. Buckmaster," two breweries, a distillery, two large tanneries, a tallow chandlery, rope walks, a grain mill and several other manufactories, including a part of the "tobacco works" of Mr. James Caldwell, which were on Mill Creek, mostly on the north or Watervliet side. There was also "a Seceders' Church," whatever that might be, and "a large brick edifice filled with military stores belonging to the State of New York and the United States," called "The Arsenal," standing "on the east side of the principal street," "connected with which is a large yard."

Says Spafford in 1813, in his "Gazetteer of New York:" "The compact village of *Colonie* is continuous with Albany, of which it forms a large and populous suburb, though legally organized under a separate municipality." "That part necessarily belongs to Albany in a general view of its population, resources, wealth, trade and general character."

In Fry's Albany Directory for 1813, the first published in the city, we find no name of a citizen of *Colonie* except "Spafford, Horatio G., author of Geography and Gazetteer, *Colonie*, two doors south of Arsenal." Mr. Fry makes this explanation in his prefatory "Notice:" "Should this publication meet its hoped-for encouragement, in the sale of the books, the next may be accompanied with a list of inhabitants in the *Colonie* and a map of the city."

GUILDERLAND was named from Guilderlandt in the Netherlands. It was formed from Watervliet, February 26, 1803. The northwest portion of the city of Albany was annexed to this town, February 26, 1871. It is bounded, north by Schenectady County, east by Watervliet and Albany, south by Bethlehem and New Scotland, west by Knox, and has an area of 38,784 acres, the largest number of any town in the county. Its outline is very singu-

lar, suggesting a rhombus in general form, the apexes of the two acute angles of which are fifteen miles apart northwest and southeast.

The surface is quite varied, from the sandy ridges and the marshes of the eastern part of the town to the higher hills of the Helderbergs on the west. The soil is a barren sand in the northeast; but there are many fertile farms of sandy loam well improved by cultivation in other parts of the town, producing excellent grass, grain and fruits, which find a ready market in Albany.

The Indian Ladder Gap, supposed to mark an ancient Indian trail, is in this town, and remarkable for picturesque scenery.

Formerly the town was distinguished for certain manufactures. In 1792 glass works were commenced in this town, eight miles from Albany. Among the proprietors were Jeremiah Van Rensselaer, John Sanders, Abraham Ten Eyck, Elkanah Watson, Frederick A. De Zeng, K. K. Van Rensselaer, Douw Fonda, Walter Cochran, Thomas Mather and Samuel Mather.

In 1796 the ground was laid out in streets and house lots, and plans for a church and school house were made. The project of a manufacturing town, to be called Hamilton, in honor of Alexander Hamilton, was considered. The Legislature, as an encouragement, exempted the company and the workmen from taxation for five years. The corporation was called the Albany Glass Company. At the first, it was owned by McClallen, McGregor & Co., the Co. being James Caldwell and Christopher Batterman; and a loan was granted to the proprietors by the State to the amount of £3,000 for eight years—three years without interest and five years at five per cent. In 1795 Robert McGregor left the firm, and a new company, under the name of Thomas Mather & Co., was formed. At one period 500,000 feet of window glass was manufactured annually. The works were discontinued in 1815, as it is said, for want of a suitable supply of sand and fuel.

Abel French, of Albany, established a factory near the center of the town in 1800, and the place was named French's Mills. In 1795 clothing mills were erected here by Peter K. Broeck. In 1800 Knowersville had a cotton factory, and later a hat factory. The first tavern in town was kept here by Jacob Acker during the Revolution.

Whigs and Tories dwelt here in constant feud during the trying days of 1775-83. The feelings then engendered between discordant families long remained. The exultant Whigs, on getting news of the surrender of Burgoyne, it is said, illuminated

the surrounding country by burning a hollow chestnut tree filled with tar, standing upon a high hill.

St. John's Evangelical Lutheran Church was organized October 13, 1787, Heinrich Moeller, first pastor.

Among the natives of this town are Judges James A. McKown and Jacob H. Clute, Edward Robinson, Wm. Dey Ermand, John M. Batterman, Stephen R. Gray, Peter Walker, Hiram Griggs, Wm. D. Strevell, Dr. Thomas Helm, and many others well known in the county.

KNOX was named from John Knox, the eminent divine and bold reformer of Scotland. It was formed from Berne, February 28, 1822. It has the smallest area of any town in the county, containing 26,402 acres. It is situated in the northwest corner of the county, and is bounded, north by Schenectady County, east by Guilderland, south by Berne, and west by Schoharie County.

Its surface is an elevated plateau, inclining slightly toward the northwest from the Helderbergs, which lie on its eastern border. Small hills diversify the surface. The soil is generally of good quality, and arable, composed of a gravelly, calcareous loam mixed with clay, overtopping hardpan. Several small caves are found in this town.

It is a farming town, with a few grist, saw and woolen mills for local manufacture.

The first settlers were Dutch, who took leases from Van Rensselaer before the Revolution. After this war, from 1788 to 1790, several families from Connecticut came to settle. Among them were Samuel Abbott and Andrew Brown. Tories were there during the Revolution until the surrender of Burgoyne, when they went to a more congenial home in the Canadas. Capt. Jacob Van Aerden was the leading man among the Whigs of that day.

The first church is said to have been the Dutch Reformed.

There long existed a public library in this town. In 1824 it numbered about 400 volumes. It was modeled after the New England town libraries, and was helpful in forming the character of the people to habits of intellectual culture and good morals.

The anti-rent feeling in this town was general and intense. Most of the farmers held manorial leases, and resisted the collection of rents with inflexible determination. Collectors, sheriffs, and the *posse comitatus* were often unsuccessful. Resort was had more than once to the military, who, without bloodshed, caused arrests and trials in courts.

Strifes of this sort began soon after the death of "the old Patroon," in 1839, who had been very indulgent to his tenants. It pervaded all the towns of the county, and all the people who occupied leased lands. It entered into local and State politics. No towns, perhaps, showed more active resistance than Berne and Knox. It lasted several years, and was terminated only by the decisions of the courts and the enforcement of law. Even as late as July, 1866, a detachment of 100 men under Capt. James McFarland, of the 10th regiment, went from Albany to Knox and secured the arrest of nine respectable citizens, who, no doubt, honestly felt that they were resisting unjust claims.

NEW SCOTLAND.—Among its early settlers are to be found these Scotch names: Reid, Wands, Watt, Swan, Kirkland, Patterson, Ramsay, McMullin, McCulloch, and others. Through the influence of these natives of Scotland, no doubt, came the name of the town. About 1758, Teunis Slingerland, a Hollander, purchased 9,874 acres of this territory from the Indians, located on the Oneskethau Flats, and erected the first mills. He is considered the first settler. The town was erected from Bethlehem, April 25, 1832; has an area of 34,324 acres, and is the central town of the county, and the youngest, if we do not reckon the city of Cohoes as a town. It is inclosed by other towns, as follows: Guilderland, north; Bethlehem, east; Coeymans and Westerlo, south; Westerlo, Berne, and Knox, west. Rensselaerville and Watervliet and the cities of Albany and Cohoes alone do not touch it.

The surface is elevated, consisting, in the eastern and central portion, of rolling lands varied by hills of moderate height. The Helderbergs border the western limits, their highest peak being situated at the Helderberg Station of the Coast Survey, 1,823 feet above the sea, and near the southwest corner of the town. Gravelly loam with clay intermixed makes a productive soil under proper culture.

The town has striking geological features which have attracted the interest of many geologists in the State; limestone caves, sink hills and subterranean streams, are among the natural curiosities. Sulphur springs are found, stones for flagging and building are quarried, and plaster is ground in this town. Mr. James Hendrick has a farm of 165 acres under the highest culture, on which are the "Font Grove Nurseries," and where are carefully cultivated outdoor and greenhouse plants; also flowers and fruits in the greatest variety. He has twelve large greenhouses. The farm and greenhouses will repay a special visit.

The inhabitants are chiefly descendants of the Dutch, the Walloons and the Scotch. Many are from New England.

Isaac Perry, an emigrant from France, was one of the earliest settlers. The hewn stone house, built by his son Nicholas before the Revolution, is still standing near Wolf Hill on the Helderbergs. George Reid and other Scotch immigrants came at an early day.

A Dutch Reformed Church was organized at Jerusalem about 1780. The house of worship was erected in 1790. Harmanus Van Huysen was the first pastor, who subsequently organized the church at New Salem and became its pastor. The New Scotland Presbyterian Church was organized about 1787, and had, as its first pastor, Rev. Benjamin Judd.

RENSSELAERVILLE was named in honor of Gen. Stephen Van Rensselaer, the "Old Patroon," and is the first town formed from old Watervliet. It was erected, March 8, 1790, and included Berne, taken off, March 17, 1795, and the westerly part of Westerlo, taken off March 16, 1815. It contains 37,354 acres; is in the southwesterly corner of the country, and is bounded, north by Berne, east by Westerlo, south by Green County and west by Schoharie County. The terminal *village* is appropriate to the village, but inappropriate as a part of the name of the town.

The surface is mostly upland broken by spurs or ridges from the Catskill Mountains, with deep and narrow fertile valleys that are watered by the rapid streams that run on their way to the Hudson by way of Catskill Creek. The upland soil is a gravel loam lying upon hardpan. It is productive of excellent grass for dairy products, and of oats, buckwheat, rye and potatoes.

There is a fall of 100 feet on the Ten Mile Creek, and of 40 feet on Willow Brook.

The town once abounded in varied useful industries. Its rural villages were formerly well filled with skilled artisans, and its creeks supplied water power to numerous mills. It was a model of an intelligent and orderly town, 25 miles from the city. Its early settlers came mostly from New England soon after the Revolution. Among them were Apollos Moore, a soldier of the Revolution, and first Judge of the County; Major John Edward, a revolutionary officer; Samuel Jenkins, who built the first mill; Silas Sweet, Joseph Lincoln, the Hatch brothers, and Rev. Samuel Fuller, the first minister of the gospel, a graduate of Dartmouth, and many others, some of whom came later by way of Long Island and Dutchess and Ulster

Counties. They were mostly young men of steady, industrious, frugal habits. Its timber has been used, and it has no near railroad.

The first church was the Presbyterian, of which Samuel Fuller was, for 16 years, the first pastor. It was organized in 1792. A Baptist Church was formed about the same time, with Timothy Green, pastor; a Friend's meeting, Reuben Palmer, preacher, was organized in 1795, and a little later, a Methodist Church. Rev. Samuel Fuller left the Presbyterian Church in 1810, and organized an Episcopal Church, of which he was for 31 years rector.

The town has been remarked for good roads and good district schools. Select schools were sustained when needed. In the Academy at Rensselaerville, Judge Bradley, now of the United States Supreme Court, received his early academic education. Among natives of the town who have attained to public distinction, we have found the names of the late Judges Rufus W. Peckham, Sr., and Malbone Watson, of the Supreme Court of this State; Judge Addison Niles, of the Supreme Court of California; and Judge Mortimer M. Jackson, of the Supreme Court of Wisconsin. Moses Patten, born in New Hampshire, was an early school teacher, and afterward a Surrogate of the County and a leading citizen. Valentine Treadwell was some years an Assemblyman and a prominent man. John Watson, a wealthy manufacturer of New York City, was born here, and so were Robert H. Moore and Edward P. Durant, of Albany. The town used to have much of the New England characteristics. It has made a good record. Among its sons is Charles M. Jenkins, son of Jonathan Jenkins, of Connecticut stock, who graduated at Union College, under Dr. Nott, in 1829, and at the old Litchfield Law School, and has been in the practice of law in this city for 50 years.

It is worthy of note that Samuel Boughton had 21 children born to him in this town. Daniel Shay, of the "Shay Rebellion" notoriety, resided here a few years about 1795 to 1800.

Two weekly newspapers have been published in this town, each having a brief existence—the *Rural Folio* and the *Rensselaerville Press*.

WATERVLIET, signifying *water flood*, and so called, probably, on account of its peninsular situation, partially surrounded by the Hudson and the Mohawk, was the first incorporated town in the county. It was formed March 7, 1788, and then included all of West Rensselaerwyck, and all of the present county, except the City of Albany, as

it was at the date of its charter in 1686. After parting with its territory to form the nine other towns of the county, it took back a part of Colonie in 1815, and gave up the same, with considerable more, to the City of Albany in 1870. In the same year Albany offered to give Watervliet its sparsely settled and sterile lands in the northwest part of the city, which, the town having declined to receive the gift, was the next year transferred to Guilderland. By the session laws of 1830 and 1833, a portion of its lands were conditionally ceded to the United States, "for the purpose of erecting and maintaining thereon arsenals, magazines, dockyards and other necessary buildings." Niskayuna, in Schenectady County, was formed in 1809, largely from Watervliet. Cohoes was incorporated as a city May 19, 1869.

The census of 1875 gives the town an area of 30,697 acres. Its boundaries are: north, by Schenectady County and Mohawk River; east, by Cohoes, the Mohawk and the Hudson Rivers, taking in the islands west of the middle of said rivers; south, by Albany; and west by Albany and Guilderland.

The surface of the town is considerably varied. Along the Hudson extend wide alluvial lands, rising above which are moderate hill slopes, furnishing fine suburban building sites, and a soil well adapted for gardens and small farms. Most of the surface is an upland of light sandy loam, 100 to 300 feet higher than the river, intersected by ravines formed by numerous small streams. With its river confines, its steam and horse railroads, and its canals, it has rare facilities for transportation and travel. To say nothing of its flourishing villages of Green Island and West Troy, its location near Albany, Troy, Cohoes and Schenectady gives extraordinary facilities for marketing its products and for trade. Milk, culinary vegetables and fruit find a ready market near home.

These inducements have led to the settlement and cultivation of a territory, most of which is not very fertile or attractive by nature.

The first settlers were, undoubtedly, Dutch farmers holding manorial leases. They were poor and their progress was slow.

The first organized Church was the Dutch Reformed at the Boght, a bow made by the junction of the Hudson and Mohawk. It was established by Rev. Eilardus Westerlo, of Albany, April 17, 1784.

The Shakers, a peculiar religious sect, came to Watervliet and established a community in 1776. They were under the leadership of "Mother Ann

Lee," their founder, a native of Manchester, England. Here she died, September 8, 1784, at the age of 48 years, and here was buried. They now number about 300. They occupy 3,500 acres of well-improved land, watered by four ponds of about 10 acres each. Their dwellings and other buildings are neat and convenient; their farms are well stocked. As a people they are remarkable for habits of industry, frugality, order, neatness and integrity in their dealings. They eschew war and politics. Of course they are prosperous. They have their religious meeting house and their schools, and publish *The Shaker*, a monthly edited by G. A. Lomas.

Besides the towns before named, out of the territory of Watervliet have been formed six incorporated villages and one city since this century began, viz: Watervliet, March 30, 1801, changed to Colonie, April 9, 1804, now obsolete and annexed to the City of Albany; Gibbonsville, April 23, 1823, changed to West Troy, April 30, 1836; Cohoes, April 12, 1855, changed to City of Cohoes, May 19, 1869; Green Island, October 14, 1855, and May 12, 1869.

Loudonville, on the old Loudon road, three miles from Albany; Newtonville, named for John M. Newton, four miles from Albany; and Menands, two miles from Albany, are very pleasant hamlets in which many of the business men of Albany reside.

West Albany is situated two miles northwest from the city, about the center of the south line of Watervliet. It contains the extensive repair shops of the New York Central Railroad, and has, for many years, been widely known as one of the largest cattle markets in the United States. It is connected with the city by street cars, as well as by the Central Railroad.

The United States Arsenal, situated on 105 acres, lying on the Hudson, near West Troy village, belonging to the United States Government, was located in 1813. The building was commenced under Col. George Burnford in 1814.

The Albany Rural Cemetery, the St. Agnes Cemetery, the Anshe Emeth, lying contiguous to each other, unsurpassed in this country for natural and artistic fitness to their purpose, are situated in Watervliet, about two miles north from Albany.

The very conveniently located and well-appointed County Agricultural Fair Grounds are nearly two miles north of Albany. The State Fairs have been held here.

The New York Central and Rensselaer and Saratoga Railways, the Erie Canal, the Champlain

Canal and the Watervliet Horse Railway all traverse portions of this town. Few towns surpass this in traveling facilities.

The Schuyler Residence, at "the Flats," just south of the village of West Troy, near the banks of the river, is an interesting spot, associated as it is with the interesting scenes in the life of "Aunt Schuyler," Mrs. Grant's "American Lady." Dr. James Wade, Dr. E. M. Wade, Edward Wade, Esq., Gov. Leland Sanford, J. B. Jermain, Thomas Hillhouse, Isaac Lawson, Joseph M. Lawson, Geo. L. Stedman, John W. McNamara, Dr. Michael Freleigh, Weare C. Little, Charles Van Zandt, are among the well-known natives or long-time residents of this, our oldest town. Hon. Benj. F. Wade was once a teacher in this town, and Rev. William Arthur, father of Chester A. Arthur, taught a boarding school in one of its villages.

WESTERLO was named in honor of Rev. Eilardus Westerlo, a Dutch clergyman, who was pastor of the First Reformed Church in Albany from 1760 to 1790. It was formed from Coeymans and Rensselaerville, March 16, 1815; has an area of 35,976 acres; and is bounded, north by Berne and New Scotland, east by New Scotland and Coeymans, south by Greene County, and west by Rensselaerville.

Its surface is broken and hilly, inclining southerly for the most part. Its valleys are narrow ravines; its ridges are adapted to pasturage. Sand and

gravel mixed with muck and clay, lying on hardpan, form the arable soil. Stone used in field walls is plenty, and flagging stones are taken from several fine quarries. The highest elevation is about 800 feet above sea level.

The leading industry is agriculture, hay being the principal product for the market.

The manufactures are chiefly those demanded by a rural population. There is a cheese factory near Chesterville.

The settlement of the town began before the Revolution. Among the early settlers were Nicholas Stoddard, Rev. Reuben Stanton, Josiah Hinckley, Isaac Winston, Dr. Jonathan Prosser, James Arnold, William Read, Abram Becker, William Haverland, Jacob and Lodowick Haynes. Philip Myers, a native of Germany, came in 1763. Andrew Hannay came from Scotland later. In 1777, inspired by a spirit of patriotism, he raised a company of volunteers and came as far as Albany with them, to join Gen. Gates against Burgoyne, too late for service.

Yankees came into the settlement more freely after the Revolution. The people, as a whole, are remarkable for good habits rural tastes, and domestic virtues.

About 1800 the Baptist Church, at Chesterville, was formed, with Roswell Beckwith, first pastor. About the same time, the Dutch Reformed Church at Van Leuven's Corners was formed.

## HISTORY OF THE BOARD OF SUPERVISORS OF ALBANY COUNTY.

**EARLY HISTORY.**—The office of Supervisor is one of the most ancient town and county offices in this State. It was established, though with ill-defined powers, under what is known as the "Duke's laws," or Laws promulgated soon after the Duke of York acquired the title to the territory embraced in the province of New York—formerly New Netherlands—through the Charter of his royal brother, Charles II.

Under the Duke's Laws the province was methodically laid out into towns and counties, and provisions were made for a Supervisor in each town, whose duty it was to oversee the financial affairs of the towns and counties. Provisions were also made for an annual meeting of all the Supervisors in the county, constituting a Board of Supervisors, with powers to audit the accounts of the County Officers, etc.

At first, as we have seen, the office in this State was confined to the supervision of the finances of the town and county; but, as time went on, its powers and jurisdiction were enlarged, until it became essentially a legislative body—in a word, the legislature of the county, having the same relation to the county that the legislature has to the State, each town in the county occupying the position in regard to the Board of Supervisors that the counties do to the State Legislature.\*

\*Under the State Laws, a Supervisor is a public officer, charged with certain duties to his town, his county and to the public at large. He is a creature of the Statute Law, and has no powers or rights other than those which the Legislature has expressly conferred upon him, and those which are incident to and necessary for a proper exercise of such express powers and rights. His functions are three fold: First, as a town officer, and which are to be discharged by him either individually or in connection with other town officers; second, as a member of the Board of County Canvassers; third, as a County Officer, and which are to be discharged in connection with the other Supervisors of the county sitting as a board.

One of the remarkable features in its history is the manner in which its local legislative powers have increased. For many years the office was limited to the duties we have described.

On June 19, 1703, the Provincial Legislature or General Assembly passed an act, enlarging the powers and duties of Supervisors, which act was entitled "An Act for the better explaining and more effectually putting in execution the duties of Supervisors and other town officers."

The curious and somewhat significant language of the following preamble to this act exhibits the construction which those early legislatures gave the duties and powers of the office.

**PREAMBLE.** "Forasmuch as many disputes, cavils, controversies and mistakes have happened and been occasioned as well by the Generality of the Words in a Certain Act of General Assembly, entitled 'An act for defraying of the publick and necessary charge throughout this Province, and for maintaining the poor and preventing Vagabonds,' as many other Omissions and Defects Experience has found and observed in the same Act."

The act provides for the election, by the freehold inhabitants of each town in every county in the Province, of one Supervisor, a freeholder of the town, whose duty—to use the language of the act—

"It shall be to compute, ascertain, examine, oversee and allow the contingent, publick and necessary charge of each County; and also there shall be in each town, manor and precinct, by the freeholders thereof annually chosen, two Assessors and one Collector, which Supervisor, Assessors and Collector shall be annually chose in every town, on the first Tuesday in April.

"The Supervisors so chosen shall meet annually at the county town in each respective county, on the first Tuesday in October, and at such other times as they shall deem necessary to examine and compute all such publick necessary contingent charges as they shall find their respective counties properly chargeable with, and all such sum or sums of money as shall be brought and exhibited before them shall be imposed and laid on the same counties, as provided by the law of the Colony."

Provisions were made for the collection of the said moneys by taxation on the valuation of the real estate in each of the towns in the county, and hence the question of establishing the valuation of the lands in the respective towns early became one of paramount importance.

After the collection of the money, under the provision of the act, it was paid into the hands of the County Treasurer, to be disbursed by that officer very much in the manner in which the county funds are now disbursed by the County Treasurer.

This brings us to consider briefly the office of COUNTY TREASURER, whose duties are largely connected with the Board of Supervisors. This is another very ancient office in the State, one of the first established under the English Colonial laws; indeed, an office quite similar to that of County Treasurer which existed under the Dutch Colonial Government.

The duties of this officer under the act of 1703 differed but very little from those of County Treasurers at the present time. He exhibited to the Supervisors a yearly account of all moneys received and disbursed by him during the year, with a statement of the sources through which he received the money, and the account upon which he disbursed

it. He was then, as now, liable to an action at the suit of the Supervisors for any default or miscarriage in the discharge of the duties of his office.

Any Supervisor, Assessor or Collector refusing to act respectively forfeited five pounds, to be recovered by any person delayed, wronged or injured by any such refusal to act.

It will be seen that Assessors and Town Collectors are officers of great antiquity, and the reader of Colonial and State history is surprised that so many of the present State, County and Town officers, with similar powers, existed during the English Colonial Government of the province, notwithstanding the sweeping innovations made by the State Constitution and State laws.

The act of 1703, concerning Supervisors, continued in existence with some slight changes until March 24, 1772, when it was amended, so far as the County of Albany was concerned, to authorize the annual election of Supervisors in that County to take place on the first Tuesday of May. This act also provided for the election in Albany County, at the same time, of two OVERSEERS OF THE POOR, two Constables, two Fence Viewers and one Town Clerk.

The duties of the office of Town Clerk were previously to this discharged by the Supervisor of the Town. None but freeholders could vote for these respective officers. After the adoption of the first State Constitution, the office of Supervisor, and the time of their election was changed by an action of the State legislature, passed March 7, 1788, which provided for the holding of town meetings in the various towns in the State for the choice of Town Officers.

The time for holding these meetings was on the first Tuesday in April of each and every year. At these meetings the following officers were elected in each town: A Supervisor, Town Clerk, one Assessor, Collector, Overseer of the Poor, Commissioners of Highways, Overseer of the Highway or Pathmaster, four Constables, Fence Viewers and Pound-master. By this act the Town of Albany was empowered to elect two Assessors instead of one, as in other counties.

Among the duties imposed by this act on the Board of Supervisors of the County of Albany, and many other counties in the State, but more largely exercised in Albany, was that of overseeing and executing the laws relative to the poor of the county and towns through the Overseers of the Poor elected in the various towns.

The office of Superintendents of the Poor was not then in existence, and never has existed in the County of Albany.

In our history of the Charities of the County and the Executors of the Poor Laws, it will be seen that the ancient office of Overseers of the Poor, with largely increased powers, still exists in the County of Albany. Their powers and duties will be more fully considered hereafter.

The manner in which the powers and duties of the Board of Supervisors have from time to time been enlarged and extended will be described under the head of "Statutory and Legal History of the Board."

There has been considerable litigation in the State concerning the powers and duties of the Supervisors. The case of *Downing vs. Rugar*, reported 21 Wen-

dell, 181, will be read with profit and interest. The office of Supervisor and the duties of Boards of Supervisors continued to be the subject of legislative enactment, varying the duties of the office in minor particulars, down to the adoption of the Revised Statutes by the State Legislature in 1830, by which their powers and duties were greatly enlarged and the Board rendered more emphatically a legislative body, with powers of local legislation, since greatly enlarged.

The powers and duties of Supervisors in regard to the poor and charitable institutions of the County of Albany differ in many respects from those of Supervisors in that regard in other counties of the State. This subject will be more fully considered in another part of this work, in the chapter on PUBLIC CHARITIES, in which the duties of Overseers of the Poor, the Superintendent and Overseers of the Almshouse, and other charitable institutions will be described.

From the foregoing it will easily be seen that the history of the Board of Supervisors of the County of Albany is of the greatest importance, from the fact that it embraces such a variety of historical matter.

## STATUTORY AND LEGAL HISTORY OF THE BOARD.

### EARLY LEGISLATIVE ACTS.

One of the earliest acts of the Legislature touching the Supervisors of Albany, was an

**ACT OF 1792.**—An act passed the 11th of April, 1792, made it the duty of one of the judges and one of the Supervisors of the Counties of Columbia, Rensselaer and Saratoga to meet once in every year with the Supervisors and one or more of the judges of the County of Albany for inspecting and examining the mortgages, minutes and accounts of the Loan Officers appointed in the County of Albany. This act was amended on February 25, 1799, rendering it lawful for Supervisors of the County of Albany, or a majority of them, together with one or more of the said judges of the said county, and such of the judges and Supervisors of the other counties as might appear, to perform the duties mentioned in the Act of April, 1792.

**ACT CONCERNING PUBLIC LANDS OF COUNTY.**—Doubts having arisen upon the operation of conveyances of land, made to the Supervisors of the counties in this State for the use of such counties for public buildings and other county purposes, an act was passed April 25, 1799, vesting in the Supervisors of the counties in this State respectively and their successors such estate in the lands aforesaid, for the purposes aforesaid, as every such conveyance shall import to grant and convey for the uses therein expressed.

This is a very important act, establishing the right of counties, through the respective Boards of Supervisors, to hold lands in fee for court-houses, jails, poor-houses and alms-houses, and other lands to be used for county purposes.

**CHANGE OF TIME FOR HOLDING ELECTIONS.**—Down to April, 1825, the annual meetings of the

Board of Supervisors in the County of Albany were held in April. On April 29, 1825, an act was passed directing that the Supervisors of Albany and some other counties should hold their annual meetings on the Tuesday next after the annual election in each and every year, and at the places before provided for by law for the meeting of the Board of Canvassers for the votes at the annual election in the County of Albany and other counties.

**A BOARD OF CANVASS.**—It was also enacted that in the County of Albany and some other counties the Board of Canvassers, including the Clerk of said counties or their deputies, should, on the Tuesday next after the annual election, meet at the places where the said respective Boards of Supervisors were in session, and then and there proceed to canvass and certify the votes given at such election in manner provided by the tenth section of the act entitled "An act for regulating Elections," passed April, 1822. The act of April 19, 1825, was afterward substantially extended to all the counties in the State. As may be seen, it made the Board of Supervisors in the County of Albany, as well as in all other counties, except New York, a Board of Canvassers.

**APPOINTING POWER.**—By the act to which we have referred the Supervisors of Albany County had conferred upon them the power, with the Judges of the Court of Common Pleas, of appointing Justices of the Peace, and Commissioners to take the acknowledgment of deeds in the county, and for that purpose they met on the Wednesday next after the annual election in each and every county, in each and every year, at their usual place of meeting.

**SITES FOR COUNTY BUILDINGS.**—By an Act passed April 16, 1830, the Supervisors of the City and County of Albany were authorized to raise, levy and collect, in four annual installments, on and from the taxable property in said city and county, in the same manner as other county charges are levied and collected, the sum of fifteen thousand dollars, for the purchase of a site and for the erection of a building in the City of Albany for city and county purposes, which sum, to be raised, levied and collected, was to be paid over to the Mayor, Aldermen and Commonalty of the City of Albany, to be applied for the purposes aforesaid.

**UNISON OF AFFAIRS OF CITY AND COUNTY.**—This act shows how closely the municipal affairs of the city and the affairs of the county were united—a unison that has continued, more or less, down to the present time.

By the said act the Supervisors of the City and County were required, in addition to the fifteen thousand dollars, to raise upon the taxable property of the City of Albany alone such sums of money, not exceeding the sum of \$40,000, to be applied to the purchase of the site and the erection of a building for city and county purposes. This building was what was known as the *New City Hall*.

*Abolishment of the distinction between Town and County Poor, in the City and County of Albany.*—A

law abolishing the distinction between town and county poor in the City and County of Albany was passed March 17, 1832. This act made it lawful for the Board of Supervisors of the County of Albany, and the Mayor, Aldermen and Commonalty of the City of Albany, to enter into any contract or agreement between them to abolish all distinction between town and county poor in the said city and county, from and after the first day of May then next, and for appropriating the almshouse and farm belonging thereto, in the City of Albany, for the support of all poor in the city and county, transient and resident, and for the allowance of such sum, to be paid to the said city by the county for the use of the same, and for any additional building and appurtenances, as the said Supervisors and the said Mayor, Aldermen and Commonalty may agree upon. The act further provided as follows :

"Every poor person entitled to support, in the City and County of Albany, shall from and after the 1st day of May, 1832, be supported and maintained by the Mayor, Aldermen and Commonalty of the City of Albany, at the expense of the county. All such poor persons shall be removed by the Overseers of the Poor of the several towns, and the Overseers of the Poor of the City of Albany, to the said Alms House, at the expense of the several towns and the city; and thereafter the necessary expenses of the removal of any poor person from any town in the county shall be paid on the certificate of the Keeper of the Alms House by the Chamberlain of the City of Albany."

**MAYOR OF ALBANY TO HAVE CHARGE OF ALMS HOUSE.**—It was also provided that the Mayor, Aldermen and Commonalty of the City of Albany should have the charge and care of said Alms House and farm, and of all the said persons who might be removed there for support, and that they should appoint a superintendent and physician, and employ other persons necessary for the management and government of the same. All moneys which should be received by the Commissioners of Excise, and all moneys received by the Overseers of the Poor in their official capacity, were to be paid over to the Chamberlain of the City, for the Mayor, Aldermen and Commonalty, within thirty days after the receipt thereof.

**TEMPORARY RELIEF FOR THE POOR.**—The act provides that temporary relief might be granted to poor persons by the several Overseers of the Poor of the county, not exceeding the sum of ten dollars for any one person or family, without the assent of the Supervisor of the town where such relief is granted, or, if in the City of Albany, without the consent of the Board of Magistrates for the relief and support of the poor of the city. This written consent must accompany the order of the Justice granting such relief, and entitle the overseer to receive any sum paid in pursuance of such order, from the Chamberlain of the city.

**CITY CHAMBERLAIN AND SUPERVISORS.**—It was provided that at the next annual meeting of the Board of Supervisors, after the passage of the said act, and at each annual meeting thereafter, there shall be a general settlement between the Chamberlain of the City and the Board of Supervisors in regard to the disbursements of all moneys connected

with the poor, and all other matters connected with the poor of the county.

It was provided that the act to which we have referred should continue in force for five years from the first day of May, 1832. Most of its provisions were retained by subsequent acts for many years, and some of them in a varied form down to the present time. It was one of the most important and practicable acts touching the maintenance of the poor in the county and city, and the management of the Almshouse ever enacted, and it is the first act which fully and equitably abolished the distinction of county and city poor.

**OVERSEERS OF THE POOR.**—An act of April 15, 1837, rendered it unnecessary for the Overseers of the Poor to obtain an order from Justices to authorize temporary relief.

**SALARY OF DISTRICT ATTORNEY.**—By the act of February 21, 1840, the Supervisors were empowered to fix the salary of District Attorney. The act of May 14, 1840, fixed the time for the annual meeting of the Board of Supervisors for the first Monday of August of each year. The Board of Supervisors were to cause a corrected assessment roll of each town or ward in the city and county, or a fair copy thereof, to be delivered to the Collector of each town or ward on or before the 15th day of September of each year.

#### THE BOARD OF SUPERVISORS AND THE PENITENTIARY.

The first step taken toward the erection of the Penitentiary in the County of Albany was the act of April 13, 1844, entitled "An Act for the construction of a Penitentiary, and in relation to the relief of the Poor in the County of Albany." We shall refer more at length to this act in another part of this work, in our chapter on Penitentiaries and punitive establishments.

The act directs that the Board of Supervisors of the County of Albany shall cause to be erected, at such place within the limits of the county as shall be directed, a suitable building or buildings for a Penitentiary, for the safe keeping and employment of vagrants, disorderly persons and all prisoners (except in cases of conviction for felony), who shall be sentenced to confinement at hard labor, or to solitary imprisonment, by any Court held in the said county or in the City of Albany.

The act appointed Samuel Pruyn and Barent P. Staats, of the City of Albany, and Louis M. Dayton, of Rensselaerville, in said county, commissioners to select a proper location for the site of the said Penitentiary, with proper grounds to be attached thereto, within six months after the passage of the said law, and to report such location, with a detailed plan for the construction, management and discipline of the Penitentiary, and an estimate of the expenses of the said land for the site, and of the construction thereof, to the Board of Supervisors. Upon the receipt of the said report the Board of Supervisors, with the Mayor and Recorder of the city, associated with the said Board for that purpose, were directed to examine the same and determine thereupon; and the said Supervisors, Mayor and Recorder were empowered to alter, modify, reduce or increase the site, plan or expense of construction of said Penitentiary, as specified in the plan of said commissioners, in any manner as to them shall seem fit or necessary. The commissioners, at the expiration of ninety days after the making and delivery of said report to the chairman or clerk of the Board, were to procure the lands necessary for the site of the said Penitentiary, and proceed to construct the same at such place and on such plan in all respects as the said Board of Supervisors, the Mayor and Recorder have approved and directed.

The act further empowered the Board of Supervisors to borrow money, on the expense of the county, necessary to

defray all the expenses of procuring the site and completing the erection of the said Penitentiary. The act further empowered the Board of Supervisors to rent of the Common Council of the City of Albany the Almshouse and farm in the said city, together with all the fixtures and appurtenances thereto (the property of the Common Council), upon such terms as could be agreed upon between the said Common Council and the said Board of Supervisors. It also empowered the said Board of Supervisors, and the Mayor and Recorder of the city, by their votes in joint meeting, to let or farm out the aforesaid Almshouse and farm (with all the fixtures and appurtenances thereto), with the inmates therein, for a term of years not exceeding five, and to appoint one or more persons to exercise a supervisory inspecting and directing power over the general treatment, fare and well-being of the paupers. The Supervisors, Mayor and Recorder were directed to make such rules and regulations in relation to temporary relief to the poor, by the Overseers of the Poor in the city, and in the several towns in the said county, as they shall deem expedient. They also regulate the salaries of the Overseers of the Poor, look to the payment of physicians, council fees relating to the poor—in cases relating to the poor accruing in the said city.

(The foregoing prescribes the duties assigned the Supervisors touching the erection of the Penitentiary. It is another important instance in which the interests of the city and county are intimately united. The directions as to the management, etc., of the Penitentiary will be considered elsewhere.)

This act of April 13, 1844, was amended by an act passed May 13, 1847. The Penitentiary had then been located and erected in the City of Albany, and had been the receptacle of prisoners for over one year and a half. The amendment to which we have alluded, therefore, referred to the convicts in the said Penitentiary, their government and management, etc.

**ANOTHER ACT IN REGARD TO THE DISTRICT ATTORNEY.**—The act of 1849 repealed the law directing the Board of Supervisors to fix the fees of District Attorneys. About that time, that office was a salaried office, the salary being fixed by the Board of Supervisors.

**ALTERATION OF TOWN BOUNDARIES.**—The duties of the Legislature in regard to the alteration of town boundaries and the erection of new towns had increased to such an enormous extent that the matter of vesting in the Board of Supervisors certain legislative powers began to be largely agitated in the State. This agitation culminated on April 3, 1849, in an act entitled

"An Act to vest in the Board of Supervisors certain legislative powers, and to prescribe their fees for certain services."

*Section 1* of the act empowers the Board of Supervisors to alter the town boundaries upon the application to the Board of at least twelve freeholders of the town, and, with *Sec. 2*, prescribes the necessary steps to be taken in regard to the alteration of boundaries or the erection of new towns.

*Sec. 3* authorizes them to name the new town, and under what circumstances the new name shall be given.

*Sec. 4*, with fourteen subdivisions thereto, authorizes the Supervisor to purchase lands on which to erect poorhouses; to purchase any real estate necessary for the erection of any court-house, jail, Clerk's or Surrogate's office, poorhouse, or any other county buildings, and to erect such buildings; to fix the site of any such building; to authorize the sale or leasing of any real estate belonging to the county; to remove or designate a new site for any county building when such a removal shall not exceed one mile; to raise money by tax for the erection of such buildings, not exceeding the sum of \$5,000 in any one year; to borrow money for the use of such county, to be expended in the purchase of real estate or the erection of public buildings; to authorize any town in a county, by a vote of such town, to borrow any sum of money, not exceeding \$4,000 in one

year, to build or repair any roads or bridges in such town, and to prescribe the time for the payment of the same, which shall be within ten years, and for assessing the principle and interest thereof upon such town; to fix the time and place for holding their annual meeting; to extend and determine, by resolution at their annual meeting, the time when each collector in the county shall make return to the county treasurer; but such time shall in no case extend beyond the first day of March then next.

To make laws, and to provide for the enforcement of the same, for the destruction of wild beasts, thistles and other noxious weeds; to prevent the injury and destruction of sheep by dogs, and to levy and enforce the collection of any tax upon dogs, and to direct the application of such tax; to provide for the protection of all kinds of game; of shell and other fish within the waters of their respective counties.

This section repealed all laws of this State then existing in relation to preserving or destroying and taking wild beasts or birds, fish and shellfish, which repeal took place on the first day of January, 1850.

**COUNTY OFFICERS TO REPORT CONCERNING SALARY.**—An important feature of this act required any officer of Albany County and other counties, whose salary is to be paid by the county, to make a report under oath, to the Supervisor of the county, on any subject or matter whatever connected with the duties of their office; and to make such report whenever called upon by resolution of any such board. A neglect or refusal on the part of any such officer was made a misdemeanor. Provisions are made in the said act for loaning money from the Comptroller, by towns, on the execution by the Supervisor of such towns. The act established the following FEES FOR SUPERVISORS:

Each Supervisor shall receive, over and above the per diem compensation now allowed by law, eight cents per mile for all necessary travel in the discharge of his official duties, and three cents for each name (for making a copy of the assessment roll of his town, and making out the tax bill to be delivered to the collector) for the first hundred names, two cents per name for the second hundred names, and one cent per name for each name over two hundred. But no per diem allowance shall be made to any Supervisor while employed in making out such copy or tax.

**SUPERVISOR A SALARIED OFFICER.**—An important act touching the office of Supervisor in the County of Albany was passed, April 13, 1857; it made it a salaried office, and regulated the compensation of the clerk. We give the act entire:

*Section 1.* Every Supervisor elected for any town or Supervisor district in the County of Albany shall receive, as a compensation for his services and expenses as such Supervisor, a salary as such Supervisor of one hundred dollars per annum, besides the travel fees now allowed by law; and no such Supervisor shall be paid or shall receive any other or greater sum than as herein provided for any services or expenses as such Supervisor, or as an agent or committee of the Board of Supervisors of said county.

*Sec. 2.* It shall not be lawful for the Board of Supervisors of said county to pay for the services of any clerk or clerks of the said Board a greater amount in the aggregate than the sum of five hundred dollars in any one year.

*Sec. 3.* No member of the Board of Supervisors of the County of Albany shall vote for any extra allowance to any person who is paid by salary; nor shall the Treasurer of said county knowingly pay to any such person any extra allowance. Every offense against the provisions of this section shall be a misdemeanor, punishable by a fine not less than the amount of such extra allowance, or by imprisonment in the county jail for a period not exceeding six months, or by both such fine and imprisonment.

*Sec. 4.* This act shall take effect immediately.

By the act of April 15, 1859, the Supervisors of each ward of the City of Albany are directed to be elected at the Charter election held upon the second Tuesday of April of each year. The act repeals all other laws inconsistent therewith.

**SALARY OF SUPERVISORS.**—The Act of May 3, 1871, fixed the salary of the Supervisors of Albany County, in the following language :

**Sec. 1.** Every Supervisor hereafter to be elected for any town or ward in the County of Albany shall receive as a compensation for his service and expenses as such Supervisor a salary of three hundred and fifty dollars per annum, besides travel fees now allowed by law; and no such Supervisor shall be paid or shall receive any other or greater sum than is herein provided for any services or expenses as such Supervisor or as an agent or Committee of the Board of Supervisors of said County, except for copying assessment books, for which the Supervisor of the town of Watervliet shall receive not to exceed the sum of seventy-five dollars, and the Supervisors of the remaining towns and wards of the County not to exceed twenty-five dollars each.

**Sec. 2.** Every offense against the provisions of the above section shall be a misdemeanor punishable by a fine of not less than fifty nor more than five hundred dollars, or by imprisonment in the County jail for a period not exceeding six months, or by both such fine and imprisonment.

**AMENDMENT OF ABOVE ACT.**—The Legislature passed an act June 7, 1875, amending section 1 of the act in relation to the salary of Supervisors of Albany County above described, so as to read as follows :

#### SUPERVISORS' COMPENSATION.

Every Supervisor hereafter to be elected for any town or ward in the County of Albany shall receive as a compensation for his services and expenses as such Supervisor a salary of three hundred and fifty dollars per annum, besides travel fees now allowed by law; and no Supervisor shall be paid or shall receive any other or greater sum than is herein provided for any services or expenses as such Supervisor, or as an agent or Committee of the Board of Supervisors of said County, except for copying and extending assessment books, for which the Supervisor of the town of Watervliet shall receive not to exceed the sum of seventy-five dollars, and the Supervisors of the remaining towns and the City of Cohoes not to exceed twenty-five dollars each. The work of copying and extending the assessment books of the several wards of the City of Albany shall be hereafter done by the assessors of the said City of Albany, who shall be paid for such work not to exceed in all the sum of twenty-five dollars for each ward in said city.

**FURTHER POWERS OF LOCAL LEGISLATION.**—We have already referred to the powers of local legislation of Boards of Supervisors, by an act of the Legislature, passed June 7, 1875. Further powers of local legislation and administration were conferred on the Boards of Supervisors in the several counties of this State, except in cities whose boundaries are the same as those of the county, to make and administer within their respective counties laws and regulations as follows:

To purchase, or otherwise acquire for the use of the county, real estate for sites for court houses, clerks' offices, and other buildings for county offices, and for jails and such other places of confinement as may be authorized or required by law; to borrow money on county bonds, or other county obligations, for a period not exceeding fifteen years, to be paid in annual installments, for the purposes specified in this subdivision; but in all cases where a supposed issue of county bonds shall, with the amount of bonds issued under any previous authority and still outstanding, exceed the sum of \$1,000, no additional issue shall be authorized, except in the Counties of Albany, Erie and Kings, unless by the consent of a majority of all the electors voting on the question; to change the location of county buildings, and to sell or apply to other county uses the old sites and buildings in cases where the location may be changed, and to apply the proceeds

toward the payment of obligations incurred for new sites and buildings, and subject to Section 15, Art. 6, of the constitution; to fix the salaries and per diem allowance of county officers, whose compensation may be a county charge and which shall not be changed during the term of such officers respectively, and to prescribe the mode of appointment and to fix the number, grades and pay of the deputies, clerks and subordinate employees in such offices; to authorize the location and construction of any bridge (except on the Hudson River below Waterford, and on the East River or over the waters forming the boundaries of the State) which shall be applied for in any of the towns jointly, or by any corporation in form pursuant to the general laws of the State, or by any corporation or individual for private purposes; and in case of a public bridge erected by a corporation, to establish the rates of toll collected for crossing such bridge. Where any bridge crosses any navigable stream or water, a suitable draw must be erected to prevent any impeding of the navigation in such stream or water, and in case of a private bridge the draw shall be kept open to permit all vessels to pass without loss of headway. Where any bridge shall be on any stream or water forming at the point of crossing the dividing line of counties, the action of the Board of Supervisors of each county shall be necessary to give the jurisdiction permitted by the act; to apportion the expenses of bridges over streams or other water forming boundary line of counties, and in all such counties shall each pay not less than one-sixth of the expenses of such bridge. If the bridge is of great benefit to the county, and the payment of two-thirds of the expenses by the towns liable would be unjust to the towns, the Supervisors shall determine the additional proportion, and what proportion of such expenses to be borne by the counties; to direct that the care of the bridges, the maintenance of which are a joint charge on the counties; to authorize the towns to borrow money for bridge purposes. The Supervisors have powers, under certain conditions, over plank, macadamized or turnpike roads, and over streets and avenues in territories adjoining a city; to lay out highways of a less width than is required by law, and of reducing highways now in existence; to cause surveys to be made, at the cost of the town, of any and all highways in such town, and to make a complete and systematic record thereof, and to cause records to be placed with the Town Clerk; to authorize the County Treasurer to extend the time for collection of State, county and town taxes in any town or ward, to a period not beyond the first day of April in any year, under certain conditions; to impose taxes on dogs; to direct the payment by Justices of the Peace of all fines and penalties imposed by and paid to such Justices; to enact laws for the preservation of game and fish; to direct the employment of offenders below the grade of felons; to establish the jail limits of the county jails for the purposes defined by statutes; to call and hold special town meetings; to authorize any town, under certain conditions, to purchase a site for a town or village hall, and to purchase or erect buildings for such a hall, and to raise money for the care, preservation and improvement of such halls; to authorize any incorporated village, under certain conditions, whose charter does not give sufficient power, to purchase apparatus for the extinguishing of fire, etc., etc.; to give the proper authorities general power over village or town cemetery lots; to authorize any town which shall make application therefor, by the vote of an annual town meeting, to elect a receiver instead of a collector of taxes, whenever the aggregate of State, county and town taxes in such town shall exceed the sum of fifty thousand dollars; to authorize the annual town meetings and all special town meetings in a town to be held by election districts; to designate, under conditions, the number of Assessors in each town, and to increase the compensation to an amount not exceeding three dollars per diem; to authorize Trustees of Boards of Education, in any union free school district established according to law, to sell or exchange real estate; to determine after the 15th of November, 1875—except in the County of Kings—in what newspapers, not exceeding two, the election notice issued by the Secretary of State, and the official canvass, shall be published, and to fix the compensation for such publication; but in places where publication shall be ordered to be made in two newspapers, such papers shall be of opposite political character.

**EXTENDING THE TERM OF SUPERVISORS.**—The act of May 14, 1878, provides that the Supervisors of the several towns and wards in cities, in the Counties of Albany, Livingston, Rensselaer and Monroe, shall be elected and hold office for a term of two years; it is also provided that all acts or parts of acts inconsistent with this act, so far as the same applies to the County of Albany, are repealed; and the said act took effect at the first election in 1879.

**CLAIMS AGAINST THE COUNTY.**—A very important act in relation to the powers and duties of the Board of Supervisors of Albany County was passed by the Legislature, May 14, 1881. This act was in reference to claims and demands against the County of Albany, making it necessary to have all such claims passed upon by the Board of Supervisors, and that all claims presented to the Board in the form of accounts must be itemized and verified, and after being presented to the Clerk of the Board they are to be printed under the direction of the said Clerk, at an expense not exceeding the ordinary price for such work, and distributed under his direction to each member of the Board within eight days after such accounts have been presented. No claim or demand against the county of the above character shall be in any manner acted upon by the Board (except to refer the same to an appropriate committee for examination and report) until three days after such account has been printed and distributed as required. It is a misdemeanor to neglect the directions aforesaid.

"The account," continues the act, "must state when and where the work was performed and material furnished, under what contract or under what authority it was performed and the materials furnished; and must state, with reasonable detail, the character and amount of the work done, and the materials furnished. It must contain the name of each person interested in the same, or who makes any claim to any share or portion of the sum to be paid."

**VERIFICATION.**—It must be verified by one, at least, of the parties in whose name the same is presented, and must be to the effect that the same is presented in the name or names of the real party or parties in interest, and that the contract was not made, or the work performed, or materials furnished, in the name of one person for the interest of another; and that no county officer, or member of any board or commission of the county or salaried employee thereof, is or has been, directly or indirectly, interested therein, either in the doing of the work or furnishing the material, or has been paid or promised anything for the letting of the contract; that the work, as charged, was actually done, and the material specified was actually furnished and used at the time and places mentioned, and are of the value charged, or at the prices specified in the contract; that no bill has been presented nor claim made therefor, for the payment of such work or materials, or for any part or item of such work or materials, except as therein stated; and if such bill has been theretofore presented, or such claim has been theretofore made for the whole, or any part thereof, it shall be stated to whom or what board, body or commission it was presented or made, the time or times thereof, and the action of such person, board, body or commission thereon, and when such action was taken.

In no county of the State is the law touching the presentation and payment of claims to the Board of Supervisors more strictly or more properly guarded than in Albany County.

**BLANKS FOR VERIFICATION.**—The Clerk of the Board prepares a printed blank form of verification,

to be approved by the District Attorney, gratuitously to all persons demanding the same.

**PROCEEDINGS TO BE PRINTED.**—The proceedings of the Board of Supervisors must be printed and distributed under the direction of the clerk within the time mentioned for the printing and distribution of the aforesaid accounts.

**PAYMENT OF TEN DOLLARS.**—Upon payment of ten dollars to the County Treasurer of the county any tax-payer may have for one year a printed copy of the proceedings of the Board, and of the printed bills as they are from time to time distributed, and at the times above described for their delivery to the members of the Board, delivered to him at some place to be designated by him, and within one quarter of a mile from the place where the Board holds its meetings.

**PERSONS EXEMPTED.**—None of the provisions of this act shall be held to effect the salaries of county officers, or the mode or manner in which payment is made, nor the wages of the laborers of the City of Albany. None of the provisions of this act shall apply to the employment of counsel to aid the District Attorney in any legal matters in which the county is interested when such employment is by authority of law.

**EXTENDING POWERS OF LOCAL LEGISLATION.**—The act of 1875, conferring on Boards of Supervisors further local powers of legislation and administration, and regulating the compensation of Supervisors, was amended by an act of the Legislature, passed April 10, 1882; but the Counties of Albany, New York, Rensselaer, Kings, Oneida and Erie were exempted from the amendments of that act.

#### SUPERVISORS AND DISTRICT ATTORNEYS.

The act of May 22, 1882, empowers the District Attorney of any county in which a capital case is to be tried, with the approval in writing of the County Judge of the county, which shall first be filed in the County Clerk's office, to employ counsel to assist him on such trials, at the cost and expense of the county, after being audited by the Board of Supervisors of the county in which the indictment on the case was found; and the amount shall be assessed, levied and collected by the Board of Supervisors of such county at its next annual assessment, levy and collection of county taxes after such services shall have been performed, and thereupon paid to the party entitled to the same.

**COUNTY BUILDINGS.**—Some of the provisions of the act of April 3, 1849, are modified by the act of May 28, 1884 (as well as some acts previous to this date), especially in that it requires

Detailed statements to be made and proposals for doing work and furnishing goods for any county buildings. It directs the form of the proposals, and that they shall be presented to the County Treasurer; defines the duties of the County Treasurer touching the same, and in case he shall refuse to order the materials to be furnished, or the work to be done, under any of the proposals, on the grounds that the work is unnecessary, or that its expense is not a county charge, or that he has reason to believe that any fraud is being practiced upon the county connected with it, he shall give the county officer or person making the requisition, and also to any tax-payer filing with him written objections to his granting an order for work or materials, written notice, of a time and place within ten days after receiving the requisition, when the matter will be brought to the attention of the County Judge. The act then defines the duties of the County Judge as to hearing the matter and things connected therewith and the time and place of hearing and

within what time his order or decision in the matter shall be made, and provides for an appeal to the General Term of the Supreme Court from his order or judgment.

It defines the duties of officers having charge of county buildings in the County of Albany, in regard to the work of superintending repairs or alterations to be made by them on such buildings. It renders it obligatory on him to superintend such work. It defines the duties of the treasurer of Albany County in regard to the payment of bills for such work; and if the treasurer refuses to pay any bill for furnishing material or doing such work, under the provisions of this act, the parties not paid may present their account to the Board of Supervisors of the County in the form and manner, and with the verifications required by the law we have already quoted, a verified claim thereof, attaching thereto a copy of the detailed statement made in respect thereto, etc., etc.

**EXPENSE LIMITED BY ACT.**—No expense exceeding two hundred dollars in amount shall be incurred during any one period of six months, from January first or July first, in any year, for any one alteration or repair, or for alterations or repairs of the same character to or in connection with any one building, or except for fuel, or any materials, or supplies of the same general character or class, to or in connection with the use of any one building, unless it shall have been previously authorized by a Board of Supervisors of the County of Albany.

The act makes strong regulations in regard to any stationery or printing of any kind, including blank forms used in the Surrogate's and District Attorney's offices.

It directs that the salaries of the Members of the Board of Supervisors of Albany County shall be paid, one-half thereof on December first in each year, and the other half at the time of final adjournment *sine die*, every fall session of said Board. It also directs that the provisions of the act shall not apply to the Penitentiary, Almshouse, the City Hall in the City of Albany, or to the care, repairs, alterations or management thereof.

We have now given the statutory and legal history of the Board of Supervisors of Albany County. In it will be found, substantially, all the important acts of the Legislature concerning the powers and duties of these Supervisors from the organization of the State Government down to the present time. It is interesting to observe how those powers and duties gradually extended and widened out from a mere Board of County and Town Audit into a legislative body which has taken from the State Legislature a very large part of its powers to enact local laws touching towns in the County. These powers having been conferred upon the Board of Supervisors from time to time.

Owing to the loss and partial destruction of many of the records containing the proceedings of the Board of Supervisors, we have found it very difficult and in some cases impossible, to prepare a connected history of its proceedings. We find but little history of the Supervisors, from the adoption of the first Constitution to 1818. We are only able to give a list of the Supervisors from that period to 1861. From that time we are enabled to give a condensed history of the proceedings of the Board down to and including 1884.

#### LIST OF MEMBERS OF THE SEVERAL BOARDS FROM THE YEAR 1818 TO 1860, INCLUSIVE.

##### 1818.

City.....	First ward.....	George Shepard.
	Second ward.....	John Van Schaick.
	Third ward.....	Nicholas Bleecker.
	Fourth ward.....	
	Fifth ward.....	Isaac Fryer.

Towns....	Berne.....	John Jost Dietz.
	Bethlehem.....	Moses De Long.
	Coeymans.....	Archibald Stevens.
	Guilderland.....	William McKown.
	Rensselaerville.....	Asa Colvard.
	Watervliet.....	John Schuyler, Jr.
	Westerlo.....	
	John Schuyler, Jr., Moderator.	

##### 1819.

City.....	First ward.....	George Shepard.
	Second ward.....	John Van Schaick.
	Third ward.....	Nicholas Bleecker.
	Fourth ward.....	Peter Boyd.
	Fifth ward ..	Jno. N. Quackenbush.
Towns....	Berne.....	Gideon Taber.
	Bethlehem.....	David Burhans.
	Coeymans.....	John N. Huyck.
	Guilderland.....	William McKown.
	Rensselaerville.....	Eli Hutchinson.
	Watervliet.....	John Schuyler, Jr.
	Westerlo.....	William Wheeler.
	John Schuyler, Jr., Moderator.	

##### 1820.

City.....	First ward.....	James La Grange.
	Second ward.....	Isaac Hamilton.
	Third ward.....	Nicholas Bleecker.
	Fourth ward.....	Benjamin Knowler.
	Fifth ward.....	Isaac I. Fryer.
Towns....	Berne.....	Gideon Taber.
	Bethlehem.....	David Burhans.
	Coeymans.....	John N. Huyck.
	Guilderland.....	William McKown.
	Rensselaerville.....	Eli Hutchinson.
	Watervliet.....	John Schuyler, Jr.
	Westerlo.....	Sylvester Ford.
	John Schuyler, Jr., Moderator.	

##### 1821.

City.....	First ward.....	Jesse Buel.
	Second ward.....	Isaac Hamilton.
	Third ward.....	Nicholas Bleecker.
	Fourth ward.....	Alexander Davidson.
	Fifth ward.....	Jno. N. Quackenbush.
Towns....	Berne.....	Malachi Whipple.
	Bethlehem.....	Henry L. Mead.
	Coeymans.....	John N. Huyck.
	Guilderland.....	William McKown.
	Rensselaerville.....	Eli Hutchinson.
	Watervliet.....	John Schuyler, Jr.
	Westerlo.....	Moses Smith.
	John Schuyler, Jr., Moderator.	

##### 1822.

City.....	First ward.....	John J. Ostrander.
	Second ward.....	Isaac Hamilton.
	Third ward.....	Nicholas Bleecker.
	Fourth ward.....	Alexander Davidson.
	Fifth ward.....	Jno. N. Quackenbush.
Towns....	Berne.....	Jesse Wood.
	Bethlehem.....	William N. Sill.
	Coeymans.....	Israel Shear.
	Guilderland.....	William McKown.
	Knox.....	Malachi Whipple.
	Rensselaerville.....	Nathaniel Rider.
	Watervliet.....	John Schuyler, Jr.
	Westerlo.....	Thomas Smith.
	John Schuyler, Jr., Moderator.	

##### 1823.

City.....	First ward.....	Isaac Denniston.
	Second ward.....	John F. Bacon.
	Third ward.....	Nicholas Bleecker.
	Fourth ward.....	William Mayell.
	Fifth ward.....	Jno. N. Quackenbush.
Towns....	Berne.....	Jesse Wood.
	Bethlehem.....	William N. Sill.
	Coeymans.....	Israel Shear.

Towns	Guiderland	William McKown.
	Knox	Malachi Whipple.
	Rensselaerville	Nathaniel Rider.
	Watervliet	John Schuyler, Jr.
	Westerlo	D. J. D. Verplanck.
		John Schuyler, Jr., Moderator.

## 1824.

City	First ward	James McKown.
	Second ward	Isaac Hamilton.
	Third ward	Teunis Van Vechten.
	Fourth ward	William Mayell.
	Fifth ward	Jno. N. Quackenbush.
Towns	Berne	Stephen Willes.
	Bethlehem	William N. Sill.
	Coeymans	Israel Shear.
	Guiderland	William McKown.
	Knox	Malachi Whipple.
	Rensselaerville	Isaac Gardiner.
	Watervliet	Lucas G. Whitbeck.
	Westerlo	D. J. D. Verplanck.
		Teunis Van Vechten, Moderator.

## 1825.

City	First ward	James McKown.
	Second ward	Isaac Hamilton.
	Third ward	Nicholas Bleecker.
	Fourth ward	Peter Bain.
	Fifth ward	Jno. N. Quackenbush.
Towns	Berne	James D. Gardiner.
	Bethlehem	William N. Sill.
	Coeymans	Israel Shear.
	Guiderland	George Batterman.
	Knox	Erastus Williams.
	Rensselaerville	Joshua Gardiner.
	Watervliet	Lucas G. Whitbeck.
	Westerlo	Moses Smith.
		John N. Quackenbush, Moderator.

## 1826.

City	First ward	James McKown.
	Second ward	Isaac Hamilton.
	Third ward	Nicholas Bleecker.
	Fourth ward	William Mayell.
	Fifth ward	Jno. N. Quackenbush.
Towns	Berne	James D. Gardiner.
	Bethlehem	Matthew Bullock.
	Coeymans	Abraham Verplanck.
	Guiderland	George Batterman.
	Knox	Egbert Schoonmaker.
	Rensselaerville	Wheeler Watson.
	Watervliet	Lucas G. Whitbeck.
	Westerlo	Henry Peers.
		James McKown, Moderator.

## 1827.

City	First ward	Barent P. Staats.
	Second ward	Isaac Hamilton.
	Third ward	Nicholas Bleecker.
	Fourth ward	William Mayell.
	Fifth ward	Jno. N. Quackenbush.
Towns	Berne	Chester Willis.
	Bethlehem	Matthew Bullock.
	Coeymans	Abraham Verplanck.
	Guiderland	George Batterman.
	Knox	Egbert Schoonmaker.
	Rensselaerville	Wheeler Watson.
	Watervliet	Francis Lansing.
	Westerlo	Henry Peers.
		John N. Quackenbush, Moderator.

## 1828.

City	First ward	Barent P. Staats.
	Second ward	William Seymour.
	Third ward	Nicholas Bleecker.
	Fourth ward	William Mayell.
	Fifth ward	Jno. N. Quackenbush.
Towns	Berne	Henry H. Lawson.
	Bethlehem	Gerrit Hogan.

Towns	Coeymans	Abraham Verplanck.
	Guiderland	George Batterman.
	Knox	Egbert Schoonmaker.
	Rensselaerville	Joseph Connor.
	Watervliet	Francis Lansing.
	Westerlo	Thomas Jenks.
		John N. Quackenbush, Moderator.

## 1829.

City	First ward	Barent P. Staats.
	Second ward	William Seymour.
	Third ward	Nicholas Bleecker.
	Fourth ward	James Alexander.
	Fifth ward	Jno. N. Quackenbush.
Towns	Berne	Albert Gallup.
	Bethlehem	James Alexander.
	Coeymans	Andrew Whitbeck.
	Guiderland	George Batterman.
	Knox	Egbert Schoonmaker.
	Rensselaerville	Joseph Connor.
	Watervliet	Francis Lansing.
	Westerlo	Thomas Jenks.
		John N. Quackenbush, Moderator.

## 1830.

City	First ward	Barent P. Staats.
	Second ward	Josiah Winants.
	Third ward	Nicholas Bleecker.
	Fourth ward	Stephen Fowler.
	Fifth ward	Jno. N. Quackenbush.
Towns	Berne	Henry H. Lawson.
	Bethlehem	James Alexander.
	Coeymans	Andrew Whitbeck.
	Guiderland	George Batterman.
	Knox	Egbert Schoonmaker.
	Rensselaerville	John Niles.
	Watervliet	Francis Lansing.
	Westerlo	Peter Onderdonk.
		John N. Quackenbush, Chairman.

## 1831.

City	First ward	Barent P. Staats.
	Second ward	William Seymour.
	Third ward	Nicholas Bleecker.
	Fourth ward	Lemuel Steele.
	Fifth ward	Robert Shepard.
Towns	Berne	Malachi Whipple.
	Bethlehem	Leonard G. Ten Eyck.
	Coeymans	Andrew Whitbeck.
	Guiderland	Aaron Livingston.
	Knox	Egbert Schoonmaker.
	Rensselaerville	John Niles.
	Watervliet	Francis Lansing.
	Westerlo	Charles Hyndman.
		Nicholas Bleecker, Chairman.

In this year Supervisor Staats made a motion that the Board should agree to a resolution, with a recital, which was read and unanimously agreed to, and is in the words following, to wit :

*Whereas*, James Van Ingen, the present Clerk of this Board, was appointed to that office on the 6th day of October, 1807, in the room of Jacob Bleecker, Jr., Esq., deceased, and has unanimously continued as Clerk ever since his appointment, and has uniformly given satisfaction to the several Boards of Supervisors whose Clerk he has been; therefore,

*Resolved*, That the said James Van Ingen be continued as Clerk to this Board for the current year.

## 1832.

City	First ward	Barent P. Staats.
	Second ward	John I. Burton.
	Third ward	Nicholas Bleecker.
	Fourth ward	Samuel S. Fowler.
	Fifth ward	Jno. N. Quackenbush.
Towns	Berne	Malachi Whipple.
	Bethlehem	Leonard G. Ten Eyck.
	Coeymans	Henry Niles.

Towns....	Guilderland.....	Aaron Livingston.
	Knox.....	Frederick Bassler, Jr.
	Rensselaerville.....	Nathaniel Rider.
	Watervliet.....	Francis Lansing.
	Westerlo.....	Charles Hyndman.
	John N. Quackenbush, Chairman.	
	Thomas W. Harmon, Clerk.	

## 1833.

City.....	First ward.....	Barent P. Staats.
	Second ward.....	John I. Burton.
	Third ward.....	Egbert Egberts.
	Fourth ward.....	Samuel S. Fowler.
	Fifth ward.....	Jno. N. Quackenbush.
Towns....	Berne.....	Daniel Simmons.
	Bethlehem.....	William N. Sill.
	Coeymans.....	Henry Niles.
	Guilderland.....	Chris. Batterman.
	Knox.....	Frederick Bassler, Jr.
	New Scotland.....	James Reid.
	Rensselaerville.....	Nathaniel Rider.
	Watervliet.....	John C. Schuyler.
	Westerlo.....	Anthony Miller.
	John N. Quackenbush, Chairman.	

## 1834.

City.....	First ward.....	Angus McDuffie.
	Second ward.....	Ichabod L. Judson.
	Third ward.....	Egbert Egberts.
	Fourth ward.....	Daniel Wilcox.
	Fifth ward.....	John Van Ness, Jr.
Towns....	Berne.....	Lawrence Van Duzen.
	Bethlehem.....	Leonard G. Ten Eyck.
	Coeymans.....	Henry Niles.
	Guilderland.....	Chris. Batterman.
	Knox.....	Frederick Bassler.
	New Scotland.....	James Reid.
	Rensselaerville.....	Charles L. Mulford.
	Watervliet.....	John C. Schuyler.
	Westerlo.....	Anthony Miller.
	Leonard G. Ten Eyck, Chairman.	
	Heman C. Whelpley, Clerk.	

## 1835.

City.....	First ward.....	Stephen Paddock.
	Second ward.....	John I. Burton.
	Third ward.....	Egbert Egberts.
	Fourth ward.....	Samuel S. Fowler.
	Fifth ward.....	Robert Shepard.
Towns....	Berne.....	James G. Gardner.
	Bethlehem.....	Daniel Springstead.
	Coeymans.....	Cornelius Vanderzoe.
	Guilderland.....	Chris. Batterman.
	Knox.....	Frederick Bassler.
	New Scotland.....	James Reid.
	Rensselaerville.....	Charles L. Mulford.
	Watervliet.....	John C. Schuyler.
	Westerlo.....	David Wooster.
	Samuel S. Fowler, Chairman.	
	Calvin Pepper, Clerk.	

## 1836.

City.....	First ward.....	Stephen Paddock.
	Second ward.....	John I. Burton.
	Third ward.....	Egbert Egberts.
	Fourth ward.....	Peter P. Staats.
	Fifth ward.....	Jno. N. Quackenbush.
Towns....	Berne.....	Moses Patten.
	Bethlehem.....	James B. Wands.
	Coeymans.....	Cornelius Van Derzee.
	Guilderland.....	Chris. Batterman.
	Knox.....	Frederick Bassler.
	Rensselaerville.....	James Reid.
	Watervliet.....	John C. Schuyler.
	Westerlo.....	David Wooster.
	John N. Quackenbush, Chairman.	

## 1837.

City.....	First ward.....	Chris. W. Bender.
	Second ward.....	Hazael Kane.

City.....	Third ward.....	Friend Humphrey.
	Fourth ward.....	Peter P. Staats.
	Fifth ward.....	Harman V. Hart.
Towns ..	Berne.....	Moses Patten.
	Bethlehem.....	James B. Wands.
	Coeymans.....	Cornelius Van Derzee.
	Guilderland.....	Chris. Batterman.
	Knox.....	Frederick Bassler.
	New Scotland.....	James Reid.
	Rensselaerville.....	Samuel Niles.
	Watervliet.....	John C. Schuyler.
	Westerlo.....	William Bentley.
	Christopher Batterman, Chairman.	
	Calvin Pepper, Jr., Clerk.	

## 1838.

City.....	First ward.....	Chris. W. Bender.
	Second ward.....	Hazael Kane.
	Third ward.....	Friend Humphrey.
	Fourth ward.....	Charles A. Keeler.
	Fifth ward.....	Giles Sandford.
Towns....	Berne.....	Moses Patten.
	Bethlehem.....	Joshua F. Babcock.
	Coeymans.....	Jonas Shear.
	Guilderland.....	Chris. Batterman.
	Knox.....	Egbert Schoonmaker.
	New Scotland.....	James Reid.
	Rensselaerville.....	Louis M. Dayton.
	Watervliet.....	Jeremiah Schuyler.
	Westerlo.....	William Bentley.
	Christopher Batterman, Chairman.	
	Calvin Pepper, Jr., Clerk.	

## 1839.

City.....	First ward.....	Chris. W. Bender.
	Second ward.....	William Newton.
	Third ward.....	George Dexter.
	Fourth ward.....	Henry Greene.
	Fifth ward.....	Giles Sandford.
Towns....	Berne.....	John Warner.
	Bethlehem.....	Joshua F. Babcock.
	Coeymans.....	Jonas Shear.
	Guilderland.....	Chris. Batterman.
	Knox.....	Egbert Schoonmaker.
	New Scotland.....	Aaron Van Schaick.
	Rensselaerville.....	Louis M. Dayton.
	Watervliet.....	Gilbert I. Van Zandt.
	Westerlo.....	Zelum Hitchcock.
	Christopher Batterman, Chairman.	

## 1840.

City.....	First ward.....	Chris. W. Bender.
	Second ward.....	William Newton.
	Third ward.....	George Dexter.
	Fourth ward.....	Henry Greene.
	Fifth ward.....	Daniel D. Shaw.
Towns....	Berne.....	Jacob Settle.
	Bethlehem.....	Abner Udell.
	Coeymans.....	Jonas Shear.
	Guilderland.....	Henry Sloan.
	Knox.....	Potter Gage.
	New Scotland.....	Aaron Van Schaick.
	Rensselaerville.....	Joseph Connor.
	Watervliet.....	Gilbert I. Van Zandt.
	Westerlo.....	Zelum Hitchcock.
	Christopher W. Bender, Chairman.	
	Calvin Pepper, Jr., Clerk.	

## 1841.

City.....	First and Second wards..	Andrew Moore.
	Third ward.....	Chris. W. Bender.
	Fourth ward.....	Horace Meech.
	Fifth ward.....	George Dexter.
	Sixth ward.....	Samuel Pruyn.
	Seventh ward.....	Daniel D. Shaw.
	Eighth ward.....	James A. Putnam.
	Ninth and Tenth wards..	John D. Livingston.
Towns....	Berne.....	Jacob Settle.
	Bethlehem.....	Abner Udell.

Towns....	Coeymans.....	Garret Whitbeck.
	Guiderland.....	Henry Sloan.
	Knox.....	Potter Gage.
	New Scotland.....	William Murphy.
	Rensselaerville.....	Benjamin E. Mackey.
	Watervliet.....	Gilbert I. Van Zandt.
	Westerlo.....	Fred. H. Rosekrantz.
	Christopher W. Bender, Chairman.	
	C. J. Cuyler, Clerk.	

## 1842.

City.....	First and Second wards..	Andrew Moore.
	Third ward.....	W. J. Fryer.
	Fourth ward.....	Horace Meech.
	Fifth ward.....	Elisha W. Skinner.
	Sixth ward.....	Samuel Pruyn.
	Seventh ward.....	Daniel D. Shaw.
	Eighth ward.....	W. B. Stanton.
	Ninth and Tenth wards..	George Traver.
Towns....	Berne.....	Henry I. Devoe.
	Bethlehem.....	And. Vanderheyden.
	Coeymans.....	Garret Whitbeck.
	Guiderland.....	Peter Shaver.
	New Scotland.....	William Murphy.
	Knox.....	Alexander Crounse.
	Rensselaerville.....	Benjamin E. Mackey.
	Watervliet.....	Gilbert I. Van Zandt.
	Westerlo.....	Fred. H. Rosekrantz.
	Gilbert I. Van Zandt, Chairman.	
	Jacob M. Shuttle, Clerk.	

## 1843.

City.....	First and Second wards..	John McEvoy.
	Third ward.....	Stephen Van Schaick.
	Fourth ward.....	Levi Chapman.
	Fifth ward.....	Elisha W. Skinner.
	Sixth ward.....	Samuel Pruyn.
	Seventh ward.....	David Martin.
	Eighth ward.....	Heman A. Fay.
	Ninth and Tenth wards..	William H. Bender.
Towns....	Berne.....	Henry I. Devoe.
	Bethlehem.....	And. Vanderheyden.
	Coeymans.....	Garret Whitbeck.
	Guiderland.....	Peter Shaver.
	Knox.....	Alexander Crounse.
	New Scotland.....	William Murphy.
	Rensselaerville.....	James G. Clark.
	Watervliet.....	Gilbert I. Van Zandt.
	Westerlo.....	Abram Griffin.
	Gilbert I. Van Zandt, Chairman.	
	Joseph P. Sigsbee, Clerk.	

## 1844.

City.....	First ward.....	John McEvoy.
	Second ward.....	Peter P. Staats.
	Third ward.....	Charles A. De Forest.
	Fourth ward.....	Horace Meech.
	Fifth ward.....	William Thorburn.
	Sixth ward.....	Samuel Pruyn.
	Seventh ward.....	George W. Welch.
	Eighth ward.....	Heman A. Fay.
	Ninth ward.....	Bradford R. Wood.
	Tenth ward.....	Jesse Buel.
Towns....	Berne.....	Oscar Tyler.
	Bethlehem.....	And. Vanderheyden.
	Coeymans.....	John Mead.
	Guiderland.....	Peter Shaver.
	Knox.....	Charles Cheesbro.
	New Scotland.....	William Murphy.
	Rensselaerville.....	Shadrach I. Porter.
	Watervliet.....	Gilbert I. Van Zandt.
	Westerlo.....	Abraham Griffin.
	Gilbert I. Van Zandt, Chairman.	
	Jacob P. Sigsbee, Clerk.	

## 1845.

City.....	First ward.....	William Chambers.
	Second ward.....	Peter P. Staats.
	Third ward.....	John C. Ward.

City.....	Fourth ward.....	Horace Meech.
	Fifth ward.....	William Thorburn.
	Sixth ward.....	Samuel Pruyn.
	Seventh ward.....	George W. Welch.
	Eighth ward.....	Heman A. Fay.
	Ninth ward.....	Ichabod L. Judson.
	Tenth ward.....	Jacob Henry.
Towns....	Berne.....	John Crosby.
	Bethlehem.....	Francis I. Shaver.
	Coeymans.....	John Mead.
	Guiderland.....	Peter Shaver.
	Knox.....	Charles Cheesbro.
	New Scotland.....	Coonrad Mathias.
	Rensselaerville.....	Valentine Treadwell.
	Watervliet.....	Thomas Hillhouse.
	Westerlo.....	Abram Vrooman.
	Peter P. Staats, Chairman.	
	Hugh Scott, Clerk.	

## 1846.

City.....	First ward.....	Bernard Lynch.
	Second ward.....	Andrew Moore.
	Third ward.....	Silvester F. Shepard.
	Fourth ward.....	Charles S. Olmstead.
	Fifth ward.....	Thomas McMullen.
	Sixth ward.....	Samuel Pruyn.
	Seventh ward.....	J. Van Valkenburgh.
	Eighth ward.....	William Jones.
	Ninth ward.....	Isaac N. Comstock.
	Tenth ward.....	William Beardsley.
Towns....	Berne.....	Samuel H. Davis.
	Bethlehem.....	John McHarg.
	Coeymans.....	Elwell Blodget.
	Guiderland.....	John Fuller.
	Knox.....	David Van Auken.
	New Scotland.....	Coonrad Mathias.
	Rensselaerville.....	Valentine Treadwell.
	Watervliet.....	Gilbert I. Van Zandt.
	Westerlo.....	Abraham Vrooman.
	Gilbert I. Van Zandt, Chairman.	
	Peter Settle, Clerk.	

## 1847.

City.....	First ward.....	Bernard Lynch.
	Second ward.....	Brown S. Spencer.
	Third ward.....	Sylvester S. Shepard.
	Fourth ward.....	Charles S. Olmstead.
	Fifth ward.....	Coonrad A. Ten Eyck.
	Sixth ward.....	Samuel Pruyn.
	Seventh ward.....	Parker Sargent.
	Eighth ward.....	Oliver Wallace.
	Ninth ward.....	Christopher Adams.
	Tenth ward.....	Adam Van Allen.
Towns....	Berne.....	Samuel H. Davis.
	Bethlehem.....	John McHarg.
	Coeymans.....	Elwell Blodget.
	Guiderland.....	John Fuller.
	Knox.....	David Van Auken.
	New Scotland.....	Robert Taylor.
	Rensselaerville.....	S. M. Hallenbeck.
	Watervliet.....	Archibald A. Dunlop.
	Westerlo.....	Avery Slade.
	Charles S. Olmstead, Chairman.	
	Peter Settle, Clerk.	

## 1848.

City.....	First ward.....	Richard Parr.
	Second ward.....	Matthew McMahon.
	Third ward.....	John Hurd.
	Fourth ward.....	Franklin Townsend.
	Fifth ward.....	William White.
	Sixth ward.....	Samuel Pruyn.
	Seventh ward.....	George W. Welch.
	Eighth ward.....	Oliver Wallace.
	Ninth ward.....	James A. Tremere.
	Tenth ward.....	Adam Van Allen.
Towns....	Berne.....	John J. Bogardus.
	Bethlehem.....	Jeremiah Mead.
	Coeymans.....	John Van Derzee.

Towns....	Guilderland.....	Jacob J. Fryer.
	Knox.....	Perez Fink, Jr.
	New Scotland.....	Robert Taylor.
	Rensselaerville.....	Stephen Hallenbeck.
	Watervliet.....	Archibald A. Dunlop.
	Westerlo.....	Avery Slade.

Samuel Pruyn, Chairman.

James F. Whelpley, Clerk.

#### 1849.

City.....	First ward.....	John McEvoy.
	Second ward.....	Matthew McMahon.
	Third ward.....	John Hurd.
	Fourth ward.....	Franklin Townsend.
	Fifth ward.....	William White.
	Sixth ward.....	Samuel Pruyn.
	Seventh ward.....	Josiah Patterson.
	Eighth ward.....	James M. French.
	Ninth ward.....	Richard J. Grant.
	Tenth ward.....	Joshua G. Cortell.

Towns....	Berne.....	Daniel G. Fisher.
	Bethlehem.....	Jeremiah Mead.
	Coeymans.....	John Van Derzee.
	Guilderland.....	Jacob J. Fryer.
	Knox.....	Perez Frink.
	New Scotland.....	Robert Taylor.
	Rensselaerville.....	William Aley.
	Watervliet.....	Gilbert I. Van Zandt.
	Westerlo.....	Caleb Smith.

Samuel Pruyn, Chairman.

James M. Whelpley, Clerk.

#### 1850.

City.....	First ward.....	James McCaffery.
	Second ward.....	Matthew McMahon.
	Third ward.....	Charles A. De Forest.
	Fourth ward.....	Charles S. Olmstead.
	Fifth ward.....	William White.
	Sixth ward.....	David Martin.
	Seventh ward.....	Charles H. Radcliff.
	Eighth ward.....	Samuel N. Payn.
	Ninth ward.....	William McBride.
	Tenth ward.....	Joshua G. Cortell.

Towns....	Berne.....	Henry A. Van Wie.
	Bethlehem.....	Jeremiah Mead.
	Coeymans.....	Nathaniel Niles.
	Guilderland.....	Elijah Spawn.
	Knox.....	Lyman Witters.
	New Scotland.....	John McEwen.
	Rensselaerville.....	William Aley.
	Watervliet.....	Gilbert I. Van Zandt.
	Westerlo.....	Caleb Smith.

Gilbert I. Van Zandt, Chairman.

Orville H. Chittenden, Clerk.

#### 1851.

City.....	First ward.....	Philip Foy.
	Second ward.....	Matthew McMahon.
	Third ward.....	John A. Sickles.
	Fourth ward.....	Henry C. Southwick.
	Fifth ward.....	Michael Clark.
	Sixth ward.....	J. V. P. Quackenbush.
	Seventh ward.....	Charles Miller.
	Eighth ward.....	Oliver Wallace.
	Ninth ward.....	Isaac Vanderpoel.
	Tenth ward.....	Adam Van Allen.

Towns....	Berne.....	Henry A. Van Wie.
	Bethlehem.....	Elias Milbanks.
	Coeymans.....	Nathaniel Niles.
	Guilderland.....	Elijah Spawn.
	Knox.....	Lyman Witters.
	New Scotland.....	John McEwen.
	Rensselaerville.....	Daniel A. Mackey.
	Watervliet.....	Archibald A. Dunlop.
	Westerlo.....	Samuel F. Powell.

Matthew McMahon, Chairman.

Orville H. Chittenden, Clerk.

#### 1852.

City.....	First ward.....	Philip Foy.
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City.....	Second ward.....	John Reynolds.
	Third ward.....	
	Fourth ward.....	William Boardman.
	Fifth ward.....	Michael Clark.
	Sixth ward.....	Stephen Lush.
	Seventh ward.....	Charles Miller.
	Eighth ward.....	Thomas Gillespie.
	Ninth ward.....	Ten Eyck La Moure.
	Tenth ward.....	Adam Van Allen.
Towns....	Berne.....	Jackson King.
	Bethlehem.....	Elias Milbanks.
	Coeymans.....	Willet Serls.
	Guilderland.....	Wendell Vine.
	Knox.....	Stephen Merselis, Jr.
	New Scotland.....	John Mathias.
	Rensselaerville.....	William Aley.
	Watervliet.....	James H. Brisbin.
	Westerlo.....	Samuel F. Powell.

James H. Brisbin, Chairman.

George Wolford, Clerk.

#### 1853.

City.....	First ward.....	John Lawless.
	Second ward.....	John Stuart.
	Third ward.....	Alexander Davidson.
	Fourth ward.....	William Boardman.
	Fifth ward.....	Michael Clarke.
	Sixth ward.....	Stephen Lush.
	Seventh ward.....	Charles Miller.
	Eighth ward.....	Lawrence Dowd.
	Ninth ward.....	John Sager.
	Tenth ward.....	Andrew Fisher.
Towns....	Berne.....	Jackson King.
	Bethlehem.....	George F. Imbrie.
	Coeymans.....	Willet Serls.
	Guilderland.....	Wendell Vine.
	Knox.....	Stephen Merselis, Jr.
	New Scotland.....	John Mathias.
	Rensselaerville.....	Benjamin F. Sayre.
	Watervliet.....	John C. Schuyler.
	Westerlo.....	Samuel F. Powell.

Alexander Davidson, Chairman.

George Wolford, Clerk.

#### 1854.

City.....	First ward.....	John Lawless.
	Second ward.....	James Taylor.
	Third ward.....	Geo. A. H. Englehart.
	Fourth ward.....	Abram Koonz.
	Fifth ward.....	Michael Clarke.
	Sixth ward.....	Stephen Lush.
	Seventh ward.....	John Benson.
	Eighth ward.....	William B. Scott.
	Ninth ward.....	William McBride, Jr.
	Tenth ward.....	Andrew Fisher.
Towns....	Berne.....	Silas Wright.
	Bethlehem.....	John Patterson.
	Coeymans.....	Garritt Whitbeck.
	Guilderland.....	George Y. Johnson.
	Knox.....	Henry Barkley.
	New Scotland.....	Wm. Van Allen.
	Rensselaerville.....	William Aley.
	Watervliet.....	Dillon Beebe.
	Westerlo.....	George H. Bentley.

Abram Koonz, Chairman.

George Wolford, Clerk.

#### 1855.

City.....	First ward.....	James Lamb.
	Second ward.....	John M. Kimball.
	Third ward.....	William H. Rice.
	Fourth ward.....	Henry Rector.
	Fifth ward.....	John E. Gavitt.
	Sixth ward.....	James C. Crocker.
	Seventh ward.....	Thomas Earley.
	Eighth ward.....	James Jones.
	Ninth ward.....	Alonzo Bruce.
	Tenth ward.....	B. S. De Forest.
Towns....	Berne.....	Silas Wright.
	Bethlehem.....	Leonard C. Ten Eyck

Towns....	Coeymans.....	Gerrit Whitbeck.
	Guilderland.....	George Y. Johnson.
	Knox.....	Henry Barckley.
	New Scotland.....	P. V. W. Brooks.
	Rensselaerville.....	Norman A. Ford.
	Watervliet.....	Gilbert I. Van Zandt.
	Westerlo.....	George H. Bentley.
	George Y. Johnson, Chairman.	
	George Wolford, Clerk.	

## 1856.

City.....	First ward.....	James Lamb.
	Second ward.....	William J. Caldwell.
	Third ward.....	William H. Rice.
	Fourth ward.....	Abram Koonz.
	Fifth ward.....	Robert Raby.
	Sixth ward.....	David V. N. Radcliff.
	Seventh ward.....	Thomas Earley.
	Eighth ward.....	William Redden.
	Ninth ward.....	Philip Spencer.
	Tenth ward.....	Ezra A. Sutliff.
Towns....	Berne.....	Samuel H. Davis.
	Bethlehem.....	Leonard G. Ten Eyck.
	Coeymans.....	Gerrit Whitbeck.
	Guilderland.....	George Y. Johnson.
	Knox.....	John Keenholtz.
	New Scotland.....	Peter V. W. Brooks.
	Rensselaerville.....	Norman A. Ford.
	Watervliet.....	Gilbert I. Van Zandt.
	Westerlo.....	Abraham Griffin.
	Abraham Koonz, Chairman.	
	William Aley, Clerk.	

## 1857.

City.....	First ward.....	William Welch.
	Second ward.....	William J. Caldwell.
	Third ward.....	Thomas O. Wands.
	Fourth ward.....	Isaac Lederer.
	Fifth ward.....	Silas B. Hamilton.
	Sixth ward.....	D. V. N. Radcliff.
	Seventh ward.....	Thomas Earley.
	Eighth ward.....	Thomas Dolan.
	Ninth ward.....	James D. Wasson.
	Tenth ward.....	Charles L. Austin.
Towns....	Berne.....	Samuel H. Davis.
	Bethlehem.....	Leonard G. Ten Eyck.
	Coeymans.....	Gerrit Whitbeck.
	Guilderland.....	Henry Hilton.
	Knox.....	John Keenholtz.
	New Scotland.....	James Slingerland.
	Rensselaerville.....	Norman A. Ford.
	Watervliet.....	William J. Wheeler.
	Westerlo.....	Abram Griffin.
	Charles L. Austin, Chairman.	
	William Aley, Clerk.	

## 1858.

City.....	First ward.....	William Welch.
	Second ward.....	Charles E. White.
	Third ward.....	Thomas O. Wands.
	Fourth ward.....	Abram Koonz.
	Fifth ward.....	Silas B. Hamilton.
	Sixth ward.....	D. V. N. Radcliff.
	Seventh ward.....	Thomas Earley.
	Eighth ward.....	Philip McGuire.
	Ninth ward.....	John Lossing.
	Tenth ward.....	Joseph Fellows.
Towns....	Berne.....	Zebadiah A. Dyer.
	Bethlehem.....	Leonard G. Ten Eyck.
	Coeymans.....	John B. Shear.
	Guilderland.....	Henry Hilton.
	Knox.....	Samuel Gallup.
	New Scotland.....	James Slingerland.
	Rensselaerville.....	Andrew Felter.
	Watervliet.....	William G. Caw.
	Westerlo.....	Thomas Saxton.
	Leonard G. Ten Eyck, Chairman.	
	Allen B. Durant, Clerk.	

## 1859.

City.....	First ward.....	Jeremiah Kieley.
	Second ward.....	Charles W. Bentley.
	Third ward.....	Matthew W. Bender.
	Fourth ward.....	John McMickin.
	Fifth ward.....	John Van Gaasbeck.
	Sixth ward.....	D. V. N. Radcliff.
	Seventh ward.....	Thomas Earley.
	Eighth ward.....	Timothy Seymour.
	Ninth ward.....	William T. Wooley.
	Tenth ward.....	Thomas W. Griffin.
Towns....	Berne.....	Zebadiah A. Dyer.
	Bethlehem.....	John Wilkes.
	Coeymans.....	John B. Shear.
	Guilderland.....	Henry Hilton.
	Knox.....	Samuel Gallup.
	New Scotland.....	Samuel Rowe.
	Rensselaerville.....	Andrew Felter.
	Watervliet.....	William G. Caw.
	Westerlo.....	Thomas Saxton.
	Henry Hilton, Chairman.	
	James A. Colvin, Clerk.	

## 1860.

City.....	First ward.....	Daniel Sullivan.
	Second ward.....	Charles E. White.
	Third ward.....	Matthew W. Bender.
	Fourth ward.....	Francis N. Sill.
	Fifth ward.....	Isaac A. Chapman.
	Sixth ward.....	Wm. Frothingham.
	Seventh ward.....	Thomas Earley.
	Eighth ward.....	Stephen McKnight.
	Ninth ward.....	William McBride.
	Tenth ward.....	James Milwain.
Towns....	Berne.....	Henry I. Devoe.
	Bethlehem.....	John Wilkes.
	Coeymans.....	David A. Whitbeck.
	Guilderland.....	Leonard Wilkins.
	Knox.....	Samuel Warren.
	New Scotland.....	James Slingerland.
	Rensselaerville.....	James E. Mackey.
	Watervliet.....	William G. Caw.
	Westerlo.....	Abijah C. Disbrow.
	Stephen McKnight, Chairman.	
	G. V. Shafer, Clerk.	

HISTORY OF THE PROCEEDINGS OF  
THE BOARD FROM 1861 TO 1884.

No regular record of the proceedings of the Board of Supervisors of Albany County is now in existence, except that which begins with the year 1861. From that time down to the present writing the records of the Board are well preserved, from which we compile the remainder of our history of the Board.

Proceedings of the annual session of the Board, held pursuant to statute, at the City Hall, in the City of Albany, commencing on the 14th day of May, 1861.

The following were the members of the Board present :

Albany....	First ward.....	Patrick Whitty.
	Second ward.....	Matthew Kendrick.
	Third ward.....	James McIntyre.
	Fourth ward.....	John Kelso.
	Fifth ward.....	Abraham A. Wimple.
	Sixth ward.....	Thomas Earley.
	Seventh ward.....	Hugh Byrne.
	Eighth ward.....	George N. Geary.
	Tenth ward.....	James Milwain.
Towns....	Bethlehem.....	John Wilkes.
	Berne.....	Henry I. Devoe.
	Coeymans.....	David A. Whitbeck.
	Guilderland.....	Stephen B. Frederick.
	Knox.....	Samuel Warner.

Towns....New Scotland..... Henry Crouse.  
Rensselaerville..... James E. Mackey.  
Watervliet..... Garrit Van Olinda.  
Westerlo..... Abijah C. Disbrow.  
Abijah C. Disbrow, Chairman.  
G. V. Thacher, Clerk.

Dr. Staatz Winne was duly elected County Physician for the ensuing year.

John Gannon was elected doorkeeper.

At the next meeting the Chairman announced the following standing committees :

*Finance, and to Examine Treasurer's Accounts.*—Messrs. Whitbeck, Earley and Milwain.

*To Examine the Books, Mortgages and Minutes of the Loan Officers, and Commissioners of Loans.*—Messrs. Devoe, Wemple and Kelso.

*On all Accounts and Matters Relating to the Poor.*—Messrs. Earley, Whitty and Wemple.

*On all Accounts of Judges, Justices of the Peace, District Attorney, Coroner, and Criers of Courts.*—Messrs. Wilkes, Devoe and Warner.

The annual statement of Thomas Kearney, the County Treasurer, shows the receipts into the Treasury for the year ending December, 1861, from all sources, to be \$253,881.26; the disbursements to be deducted therefrom to be \$253,881.26; the balance-sheet of the Treasurer showed there was due the County, in his hands, \$8,300.30.

The Committee on Equalization agreed upon the following valuation, per acre, in the several Towns :

Berne, \$17.50; Bethlehem, \$56.50, Coeymans, \$35.50; Guilderland, \$37.50; Knox, \$17.50; New Scotland, \$38.00; Rensselaerville, \$18.50; Westerlo, \$20.50; Watervliet, \$60.00.

The percentage of taxation was as follows :

For the City, \$1.61 per \$100; Berne, \$1.58 per \$100; Bethlehem, 75 cents per \$100; Coeymans, 84 cents per \$100; Guilderland, \$1.28 per \$100; Knox, \$1.13 per \$100; New Scotland, 96 cents per \$100; Rensselaerville, 90 cents per \$100; Westerlo, 94 cents per \$100; Watervliet, 94 cents per \$100; Village of West Troy, 97½ cents per \$100; Village of Cohoes, 95½ cents per \$100.

The total amount to be raised by tax that year in the City of Albany was \$391,533.30.

The towns most burdened for building and repairing roads and bridges that year were :

Berne, \$100; Coeymans, \$110; Bethlehem, \$100; Guilderland, \$120; Knox, \$30; New Scotland, \$100; Rensselaerville, \$100; Westerlo, \$90; separate road districts, Ninth and Tenth Wards, \$250; total, \$1,000.

A motion to enlarge the Penitentiary was lost by a vote of 7 to 11. A resolution was adopted declaring the Registry Law vexatious, exhaustingly expensive to taxpayers, and should be repealed.

#### PROCEEDINGS OF 1862.

The annual meeting of the Board of Supervisors began at the City Hall, in the City of Albany, May 13, 1862. The following members of the Board were present :

First Ward, Patrick Whitty; Second Ward, Richard H. Scott; Third Ward, James McIntyre; Fourth Ward, Francis N. Sill; Fifth Ward, John N. Parker; Sixth Ward, Daniel Shaw; Seventh Ward, Asa Fassett; Eighth Ward, Henry N. Wickes; Ninth Ward, Wm. McClusky; Tenth Ward, Benjamin F. Rice; Berne, David Conger; Bethlehem, Albertus W. Becker; Coeymans, Jonas Shear; Guilderland, Stephen V. Frederick; New Scotland, James Slingerland; Rensselaerville, George H. Laraway; Westerlo, Abijah C. Disbrow; Watervliet, Garrit Van Olinda.

Abijah C. Disbrow was elected Chairman of the Board, George V. Thacher Clerk; Dr. John J.

Meyers was elected County Physician, and Frederick M. Johnson doorkeeper.

The death of Samuel Pruyn, Esq., one of the Inspectors of the Penitentiary from its first organization, and for many years one of the Supervisors of the City and County of Albany, was announced.

The resolution was adopted directing the Treasurer to pay each member of the Board for the year 1860 the sum of ten dollars and traveling fees allowed by law for services rendered as canvassers of the special election for members of Assembly.

The *Atlas and Argus*, *Times and Courier*, *Morning Express* and *Evening Journal* were designated as the papers to publish the proceedings of the Board. Mr. D. A. Manning was designated as reporter for the *Atlas and Argus*, Mr. Edward Leslie for the *Times and Courier*; Mr. Coney of the *Watervliet Democrat* was also appointed a reporter.

A special meeting of the Board, called to devise measures to aid in the enrollment of a regiment in the 13th Senatorial District, convened at the City Hall on the 29th of July, 1862. Patriotic resolutions were passed to take measures to sustain the President in a call then recently made for 300,000 additional volunteers to supply the places of those who had fallen victims to the casualties of war, and to so increase the strength of our effective force as to crush the rebellion. A bounty of fifty dollars was established for each recruit enlisted in the Albany Co. regiment in addition to the bounties before offered by the general and state governments. The proceedings of this session were all directed to patriotic purposes.

The annual November session of the Board of Supervisors commenced on the 11th of November, 1862.

The apportionment of the city and county tax was reported at the following ratio of taxation :

City east of Partridge street, \$1.80 per \$100; city west of Partridge street to Allen, \$1.45 per \$100; city west of Allen, \$1.39 per \$100; Berne, \$1.65 per \$100; Bethlehem, 92c. per \$100; Coeymans, 95c. per \$100; Guilderland, \$1.48 per \$100; Knox, \$1.44 per \$100; New Scotland, \$1.19 per \$100; Rensselaerville, \$1.16 per \$100; Westerlo, \$1.15 per \$100; Watervliet, \$1.06 per \$100; West Troy, \$1.07½ per \$100; Green Island, \$1.14 per \$100; Cohoes, 1.06½ per \$100.

The Chairman of the Finance Committee submitted an annual statement of moneys received and disbursed from Dec. 10, 1861, to Dec. 10, 1862.

The report showed a balance in favor of the county of \$15,690.78, made up as follows :

Due redemption fund.....	\$1,037 00
“ court “ .....	3,249 09
“ military “ .....	971 72
Total.....	\$5,257 81
Balance applicable to county purposes.....	\$10,432 97
Out of that balance there was paid at that time on account of election expenses since Dec. 10, 1862.....	1,579 25
Leaving.....	\$8,853 72

The annual report of Thomas Kearney, County Treasurer, shows that there was paid into the county treasury during the year from all sources \$368,638.49. There was disbursed the sum of

\$368,638.49. The amount of bounties paid that year was \$175,000.

There was a balance belonging to the county bounty fund of \$18,400.

Proceedings of the Board of Supervisors at their May session, held at the City Hall, in the City of Albany, May 12, 1863. The following supervisors were present :

First Ward, Joseph Kresser ; Second Ward, Philip O'Brien ; Third Ward, Martin V. B. Winne ; Fourth Ward, Abram Koonz ; Fifth Ward, Barent P. Staats ; Sixth Ward, David V. N. Radcliffe ; Seventh Ward, Thomas Early ; Eighth Ward, Timothy Seymour ; Ninth Ward, Frederick Porth ; Tenth Ward, Thomas O. Wands ; Berne, William D. Strevel ; Bethlehem, William Kimmey ; Coeymans, Jonas Shear ; Guiderland, Stephen V. Frederick ; Knox, John Keenholts ; New Scotland, John R. Taylor ; Rensselaerville, George H. Laraway ; Watervliet, Gerrit Van Olinda ; Westerlo, Jared T. Reynolds.

George H. Laraway, Esq., appointed chairman ; George V. Thacher, clerk ; Dr. Winne was elected physician, and James Ogsbury, of Knox, was appointed doorkeeper.

Mr. Staats submitted a report showing that the expenses of the county and the Excise Commissioners, "for driving rum out of the city and county," was something over \$16,000 for the preceding year.

The Board adjourned till the 10th of November, 1863.

Proceedings of the November session of the Board of Supervisors, held at the City Hall in Albany, commencing November 10, 1863.

On the opening of the session, November 11, the death of Frederick Porth, late Supervisor of the Ninth Ward, was announced, and resolutions expressive of the sorrow of the Board at his loss were unanimously passed.

The Treasurer reported the amount of fines received by the Justices of the Peace of the county to amount to the sum of \$1,122.

Amount of moneys borrowed and received from all sources for the support of the war during the year was \$205,098.13.

#### RE-INDEXING MORTGAGES.

A resolution had been adopted, that the County Clerk be authorized to re-index the mortgages of record in his office pursuant to a system of vowelization, and to transcribe and arrange the index of deeds upon the plan followed in directories and dictionaries. This work had been successfully prosecuted, according to the report submitted by the Clerk, in which it appeared that a great number of errors, and some very dangerous ones, had been discovered and rectified. That the contents of the old indexes—eight in number, and comprising the period from 1753 to 1863—thus sifted and verified, were contained in two books, arranged upon the new or vowelized system. That the work done down to that time had been upon the indices of grantors, including the period from 1656 to 1863. That the work already completed comprised 3,541 pages, or 106,320 names. That his account for

indexing, as referred to in the above report, amounted to \$10,623.

Mr. Staats presented a statement from the United States Collector, showing the number of liquor dealers in the city and county of Albany to be 1,013, as follows :

West Troy, 105 ; Watervliet, 45 ; Sixth, Seventh and Eighth Wards, 181 ; Fifth Ward, 41 ; Fourth Ward, 83 ; Third Ward, 92 ; First and Second Wards, 178 ; Tenth Ward, 53 ; Ninth Ward, 88 ; Knox, Guiderland and Berne, 22 ; Bethlehem and New Scotland, 45 ; Coeymans, Westerlo and Rensselaerville, 18 ; Cohoes, 62.

A report from the Excise Commissioners showed that out of a large number of prosecutions for infractions of the excise law only \$450 had been collected ; the cost of collection was double that.

The Committee of Equalization in the city and county fixed the valuation of the towns as follows :

Berne, \$17.50 per acre ; Bethlehem, \$57.50 per acre ; Coeymans, \$35.50 per acre ; Guiderland, \$37.50 per acre ; Knox, \$17.50 per acre ; New Scotland, \$38 per acre ; Rensselaerville, \$18.50 ; Westerlo, \$20.50 ; Watervliet, \$60.

The annual statement of the County Treasurer shows that there was received in his office from all sources \$419,460.18 ; the disbursements from the office, \$419,460.18.

There was paid to the Sheriff this year for serving notices, etc., etc., \$2,637.95 ; board of prisoners, \$6,718 ; making in all a total of \$9,355.95.

There was paid to reporters the sum of \$499. The expense of City Government was \$240,700 ; police force, \$40,000.

Annual May Session of the Board of Supervisors held at City Hall, in Albany, May 10, 1864.

Supervisors present :

First Ward, Joseph Kresser ; Second Ward, Philip O'Brien ; Third Ward, James M. Carlin ; Fourth Ward, Abram Koonz ; Fifth Ward, Barent P. Staats ; Sixth Ward, James H. Carroll ; Seventh Ward, Thomas Early ; Eighth Ward, Philip McGuire ; Ninth Ward, Frank Marshall ; Tenth Ward, Christopher W. Bender ; Berne, David Conger ; Bethlehem, William Kimmey ; Coeymans, Peter Keefer ; Guiderland, Stephen V. Frederick ; Knox, Ira Van Auken ; New Scotland, John R. Taylor ; Rensselaerville, George H. Laraway ; Watervliet, Gerrit Van Olinda ; Westerlo, Jared L. Reynolds.

George H. Laraway, Chairman.

George V. Thacher, Clerk.

Dr. Barent P. Staats, County Physician.

James McAncey, Doorkeeper.

A statement of the moneys borrowed by resolution of the Board, December 17, 1863, and disbursed to pay bounties from December 4, 1863, to July 18, 1864, inclusive, showed that \$1,074,217.28 had been disbursed in that time. There was a balance on hand of \$227,442.97 ; the interest due on bonds, September 1, 1864, amounted to \$26,071.50.

#### OBJECTION TO THE DRAFT.

When this statement was given, Dr. Staats rose and said that the draft was not in accordance with our State Constitution ; that that instrument was opposed to lotteries, and the draft was nothing more nor less than a lottery, only there were more prizes in a draft than in a lottery.

He "believed in making the rich man, whose property and interests were at stake, pay liberally

toward saving the country from a draft, by furnishing money to procure volunteers, and moved that the Board favor the paying of a bounty." His resolution was adopted. He then moved that a committee of six be appointed to draft resolutions and report a plan to fill the quotas under the President's last call for 500,000 men. This resolution was also adopted, to the effect that it was desirable and expedient to fill the quota of Albany by volunteers, instead of by draft.

Active measures were taken to carry this resolution into effect.

#### LINCOLN'S PROCLAMATION.

Several special meetings were called to consider the President's proclamation, made July 18, 1864, calling for 500,000 volunteers for the military service. Without going into particulars, it is sufficient to say that the action of the Board of Supervisors in regard to that proclamation was prompt, patriotic and in every sense efficient, showing that the capital county of the State was foremost in coming to the rescue of our country.

The Board of Supervisors convened on the 15th of November, 1864, all the members of the board being present.

The City Budget, presented on the 21st of November, showed a gross amount of \$370,000. Mr. Staats called attention to the fact "that many charges are made against the county for *post mortem* examinations, when there was never the slightest necessity for such examinations." He instanced "one case where a bill for \$30 had been presented, and it was ascertained that the man died from having the bones of his head knocked in; when the physicians were asked why they made such examination, they replied, for their own information and nothing more, and now they present a bill for \$30, and in this manner nearly one-half of coronors' bills are gotten up."

This year L. C. Tuttle and Hon. John C. Nott, now county judge, were school commissioners of the county.

The annual statement of Thomas Kearney shows that the receipts of the county treasurer during the year from all sources was \$472,945.19; the disbursements amounted to \$472,945.19. He also presented his annual statement of money received and disbursed on account of bounty fund from Dec. 4, 1863, to Dec. 10, 1864, which amounted to \$1,914,642.62.

#### CONTEST OVER A LAWYER'S BILL.

Mr. J. R. Hilton, attorney for the Excise Commissioners, having obtained judgment to the amount of \$6,472.76 against the county, on presenting his bill for the same the Supervisors refused to pay the judgment in full. A long controversy ensued in regard to the matter, Mr. Hilton refusing to accept any sum except the full amount of his claim. The matter was finally referred to the committee. A referee reported in favor of a sum due Mr. Hilton, including costs and interest, of \$6,355.31.

Mr. Staats offered a resolution that the sum of \$6,472.76 be allowed Mr. Hilton. This resolution was adopted.

The equalization of real estate in the city and county of Albany was fixed as follows:

Berne, per acre, \$17.50; Bethlehem, per acre, \$57.50; Coeymans, per acre, \$35.50; Guiderland, per acre, \$37.50; Knox, per acre, \$18; New Scotland, per acre, \$38; Rensselaerville, per acre, \$18.50; Westerlo, per acre, \$20; Water-vliet, per acre, \$60.

The meeting of this board continued by adjournments until March 6, 1865.

Proceedings of the Board of Supervisors at their annual session, May 9, 1865. Members present:

First Ward, Joseph Kresser; Second Ward, James Brice; Third Ward, Lee Chamberlain; Fourth Ward, Abram Koonz; Fifth Ward, Barent P. Staats; Sixth Ward, W. C. McHarg; Seventh Ward, David Prest; Eighth Ward, John McCall; Ninth Ward, Frank Marshall; Tenth Ward, Christopher W. Bender; Bethlehem, Wm. Kimmey; Berne, David S. Dyer; Coeymans, Peter Keefer; Guiderland, Steven V. Frederick; Knox, Ira Van Auken; New Scotland, Daniel Callahan; Rensselaerville, George H. Laraway; Water-vliet, Gerrit Van Olinda; Westerlo, Jared T. Reynolds; George H. Laraway, Chairman; George V. Thacher, Clerk; Barent P. Staats, County Physician; Joseph W. Reynolds, Doorkeeper.

As soon as an organization was effected Mr. Brice, from the Second Ward, arose and in touching, eloquent language announced the death of President Lincoln. Having concluded his remarks, he presented an appropriate preamble and resolutions expressive of the feelings of the members of the Board in regard to the awful crime which resulted in the President's death, and of their veneration for him, and that they recognized in him "that able executive ability, tempered with that mild and genial feeling of mercy, which has engraven his name in the hearts of his countrymen, and left him a character on the scroll of fame which no time can erase."

The City Budget was presented November 22, 1865, and amounted in all to \$446,703.05, of which \$10,000 was the Sinking Fund account, \$40,000 temporary outdoor relief of the poor, \$42,979.44 for public schools, pursuant to chapter 516, laws of 1855; \$80,123.61 of this was the proportionate part of the Police expenses apportioned to the City of Albany for the fiscal year ending October 1, 1866, and for deficiency to October 1, 1865, pursuant to section 46, chapter 554, laws of 1865.

At the meeting of the Board, November 28, 1865, an interesting statement showing the war expenses of the whole county during the war, which amounted in gross to \$4,485,276.45. The statement also shows that the county paid bounties, according to different quotas, for the years 1862, 1863, 1864 and 1865, to 8,456 men. This, it will be seen, does not include 1861, nor the full number of men enlisted in Albany County during the war. A statement showing this will be found elsewhere in this work. In addition to the above amount, hand-money and other expenses were paid during the years 1863, '64 and '65, amounting to \$93,403.72.

The following table shows the bonds issued in Albany County:

Amount.	Date of Bonds.	PRINCIPAL OF COUNTY BONDS, WHEN PAYABLE.										Rate of Interest.	Amount Rec'd in Premiums.	Discount.
		1864	1865	1866	1867	1868	1869	1870	1871	1872	1873	1874	1875	1876
\$175,000	March 1, '65	\$30,000	\$29,000	\$29,000	\$29,000	\$29,000	\$29,000	\$123,000	\$125,000	\$124,000	\$124,000		\$3,023 13	.....
744,000	March 1, '64	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....		16,760 25	.....
1,258,750	Sept. 1, '64	.....	.....	652,100	143,850	175,000	287,800	.....	.....	.....	.....		.....	.....
76,000	Sept. 1, '64	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....		.....	.....
285,550	Sept. 1, '64 and March 1, '65	.....	.....	19,000	138,000	50,400	31,700	25,900	11,550	.....	.....	9,000	.....	\$5,776

On December 5, 1865, on motion of Mr. McHarg, the salary of the District Attorney from and after the first of January, 1866, was fixed at the sum of \$3,500 per annum.

A voluminous document, containing the names of all persons licensed to sell liquor during the year down to December 5, was presented, from which we make the following recapitulation :

Albany. — First Ward, 122; Second Ward, 75; Third Ward, 96; Fourth Ward, 103; Fifth Ward, 47; Sixth and Eighth Wards, 118; Seventh Ward, 90; Ninth Ward, 58; Tenth Ward, 97; total, 806.

Towns. — Watervliet, 59; Berne and Guilderland, 21; Bethlehem and New Scotland, 40; Coeymans and Westerlo, 15; West Troy, 112; Cohoes, 67; total, 314; city and towns, 1,120.

On December 6, 1865, the County Treasurer presented a COUNTY BUDGET amounting in all to \$766,094.89.

On the 14th of December, Mr. Frederick, of the Finance Committee, offered the following resolution :

"Resolved, That there be assessed upon the taxable property of the county \$766,094.89, the same to be applied for the purpose mentioned in the County Budget as presented on the sixth of December; also the sum of \$87,114 91, for Audited Accounts."

Which resolution was adopted. Mr. Frederick also reported the CITY BUDGET, as adopted by the Common Council and presented to the Board on the 22d of November, at \$446,703.05, also the sum of \$8,423.06 for Audited Accounts, and the same was adopted.

The equalization of Real Estate in the City and County of Albany was fixed at the rate per acre :

Berne, \$17.50; Bethlehem, \$57.57; Coeymans, \$35.50; Guilderland, \$37.50; Knox, \$18; New Scotland, \$38.50; Rensselaerville, \$18.50; Westerlo, \$19.50; Watervliet, \$60.

The County Treasurer reports the receipts of money this year to the amount of \$1,083,013.66, and the disbursements to the amount of \$1,083,013.66.

The *Argus* and The *Express* were designated for the

#### COUNTY PAPERS FOR 1866,

and the *Albany County Democrat*, *Freie Blatter* and *Evening Post* were authorized to publish the County Audits.

The Board adjourned, *sine die*, December 14, 1865.

The proceedings of the Board of Supervisors of the county of Albany at the annual meeting held at the City Hall, in the city of Albany, May 8, 1866.

#### Members present :

First Ward, Robert J. McCormick ; Second Ward, James Brice ; Third Ward, John W. Harcourt ; Fourth Ward, Abraham Koonz ; Fifth Ward, Barent P. Staats ; Sixth Ward, David Rose ; Seventh Ward, David Prest ; Eighth Ward, John McElroy ; Ninth Ward, Mathias J. Severance ; Tenth Ward, Christopher W. Bender ; Berne, David Conger ; Bethlehem, William Kimmey ; Coeymans, John B. Shear ; Guilderland, Stephen V. Frederick ; Knox, Peter Schoonmaker ; New Scotland, Nicholas A. Delong ; Rensselaerville, George H. Laraway ; Watervliet, William J. Wheeler ; Westerlo, Charles Bently. Chairman, George H. Laraway ; Clerk, Owen McDermott ; County Physician, Dr. B. P. Staats ; Doorkeeper, Christian Hartline.

**DEATH OF GERRIT VAN OLINDA.**—The board being thus organized, Dr. Staats arose and announced the death of Mr. Gerrit Van Olinda, long a useful and honored member of the board from Watervliet.

After the transaction of some business the board adjourned to June 19, 1866.

#### *Special Session.*

On Tuesday, June 19, the board met pursuant to Chapter 607 of the laws of the State of New York for 1866.

**JURORS' PAY.**—Mr. Prest, from the finance committee, offered the following in regard to pay of grand and petit jurors :

"Whereas, The Legislature of the State of New York, on the 31st of March, 1866, passed an act which reads as follows: The several boards of supervisors in this State may, at their first or any subsequent meeting after the passage of this act, direct a sum not exceeding two dollars a day to be allowed to every grand and petit juror, for attending the courts of record held within their several counties; and they may also direct an allowance to be made to such jurors for traveling in coming and returning from such courts, not exceeding five cents a mile; therefore,

"Resolved, That the county treasurer be authorized and directed to pay to every grand and petit juror who shall have been regularly drawn from the box since June 1, 1866, provided by law for attending the courts of record held in and for the said County of Albany, the additional sum of fifty cents for each day's attendance, and also that each juror who shall have been so drawn as aforesaid shall be allowed five cents per mile for coming to and returning from the City Hall, the place of holding the several courts of record for this county."

At November session, Nov. 13, 1866, the board met pursuant to adjournment as a board of canvassers, the members all being present. Having completed the canvass the board adjourned until the 14th.

At this meeting the comptroller presented the following communication :

COMPTROLLER'S OFFICE, Albany, Sept. 29, 1866.

**CONTEST CONCERNING CLERK.**—It will be seen that Owen McDermott was elected clerk of the board at the annual meeting. This was done against considerable opposition, which was not quieted by his election. The matter rested, however, until the special session of June 19, when Mr. Kimmey presented the following :

"Whereas, The appointment of the present clerk of this board was forced upon the board against the wishes of a large majority of its members; and

"Whereas, Said board are not satisfied, and do not consider said clerk competent to fully discharge the duties of his position; therefore

"Resolved, That George V. Thacher be, and he is hereby appointed clerk of said board for the ensuing year, in place of Owen McDermott, removed."

After considerable discussion the resolution was adopted by a vote of eleven ayes and seven noes.

The board voted Mr. McDermott the sum of \$100 for his services.

The following communication from the Comptroller of the State was read by the Clerk :

*To the Clerk of the Board of Supervisors of the County of Albany :*

SIR:—The Board of Equalization of Taxes, in pursuance of chapter 312 of the Laws of 1859, have fixed the aggregate valuation of property in your county at the sum of \$42,403,645, upon which amount a State tax of \$235,870.28 must be levied for the current year, being 5½ mills on the dollar, for the following purposes, viz. :

For Schools, ¾ of a mill, per chapter 555, Laws of 1864.  
For General Purposes, 1¼ mills, per chapter 677, Laws of 1866.

For Canals, ¼ of a mill, per chapter 271, Laws of 1859.

For Canals, 7½ of a mill, per chapter 219, Laws of 1866.

For Extension of Chenango Canal, 1¼ of a mill, per chapter 649, Laws of 1866.

For Champlain Canal, 1½ of a mill, per chapter 156, Laws of 1866.

For Bounty Debt, 2½ mills, per chapter 325, Laws of 1865.

Total, 5½ mills.

Your obedient servant,

THOS. HILLHOUSE,

Comptroller.

P. S.—The non-resident taxes credited to your county for 1865 amount to \$537.76.

Referred to Finance Committee.

A communication was received from Mr. McDermott, the removed Clerk of the Board, stating that by his removal he had sustained pecuniary loss, and he asked the Board for an appropriation to indemnify him in some degree for the injury sustained by such removal. This elicited a spirited debate. The friends of Mr. McDermott insisted that his removal was the result of personal and political hatred. The communication was referred to the Committee on Grievances.

#### *Buildings for the Insane.*

At a meeting of the Board, November 20, Mr. Staats offered the following :

Resolved, That a committee be appointed from this Board to confer with a committee of the Common Council of the City of Albany, for the purpose of erecting suitable accommodations for the insane of the county, and to apply for such Legislative aid as may be necessary to accomplish the above object.

Mr. Staats, in support of said resolution, said :

That "not only humanity, but the best interests of the county require that suitable buildings be erected for the insane; that our State institutions are entirely inadequate to contain half the applicants for admission, and that the price of admission was exorbitant. We are paying six thousand dollars a year to the Utica Asylum, besides having over one hundred in our Alms House, without the means of proper care and treatment. That a building properly constructed, and a law permitting the taking of boarders from other counties, would be a self-sustaining institution."

The resolution was adopted.

The *City Budget* was presented November 21, which amounted in all to \$496,832.

**Excise.**—James A. McKown, in 1858, was appointed, upon the recommendation of a committee of the Board of Supervisors and his Honor the Mayor of the City of Albany, a Special Police Constable, for the purpose of reporting violations of the Excise law, and was also reappointed for the same duty in the years 1859, 1860, '61, '62, '63 and '64; and that from 1859 to 1864, inclusive, he received the following amount : \$1,820.50. And he also received from the county for licenses granted, for the same time, the amount of \$137,228.63.

At a meeting of the Board, November 28, the account of Henry Fitch, Sheriff, was presented, in which he claimed \$17,131.72, which account was allowed at \$15,131.72.

*County Budget.*—On December 7, 1866, the County Budget was presented, which amounted to \$876,053.28.

*Anti-Rent Difficulties.*—During the year 1866, the anti-rent difficulties in the county had increased to such proportions that the Sheriff was obliged to call on the military to aid in serving and enforcing processes. This was attended with considerable expense to the county, and we give the following claims as an interesting item in the history of the anti-rent difficulties:

	Claimed.	Allowed.
Leonard & Bradt.....	\$1,295 72	\$1,268 59
Edward Scannell.....	1,053 00	576 00
Tenth Regiment, N. G. S. N. Y. . .	992 25	992 25
Company F, 25th Regiment " " . .	762 24	762 24
Company C, " " " " " " . .	626 40	626 40
Company G, " " " " " " . .	256 92	256 92
Lord & Thornton.....	500 02	498 02
Albany & Susquehanna R. R. Co..	228 80	228 80
John Cutler.....	157 00	150 00
Augustus Brewster.....	122 00	80 00
Walter S. Church.....	115 00	Disallowed.

At a meeting of the Board of Supervisors, held December 14, 1866, the *Treasurer's Annual Statement of Receipts* of money for the year 1866 was presented, which amounted in all to \$1,355,794.62. He disbursed the sum of \$1,355,794.62. He also reported a balance on hand December 1, 1866, of \$14,658.20.

Proceedings of the Board of Supervisors of the City and County of Albany at the annual meeting, held at the City Hall, in the City of Albany, May 14, 1867.

The following were the members present:

First Ward, Robert J. McCormick; Second Ward, Michael Delehanty; Third Ward, Jonathan R. Herrick; Fourth Ward, William Orr; Fifth Ward, Barent P. Staats; Sixth Ward, Alexander A. Edmeston; Seventh Ward, Michael Lyman; Eighth Ward, Michael D. McGue; Ninth Ward, M. Joseph Severance; Tenth Ward, Christopher W. Bender; Bethlehem, George C. Adams; Berne, Adams J. Warner; Coeymans, John B. Shear; Guiderland, Hiram Griggs; Knox, Peter Schoonmaker; New Scotland, Nicholas DeLong; Rensselaerville, George H. Laraway; Westerlo, Charles Bentley; Watervliet, Wm. J. Wheeler.  
Chairman, Wm. J. Wheeler.  
Clerk, George V. Thacher.  
County Physician, Dr. Barent P. Staats.  
Doorkeeper, Edward Dooley.

On May 15 the Board met according to adjournment, and in the usual order of business the Chairman announced the standing committees for the ensuing year.

After some immaterial business, the Board adjourned.

At a meeting of the Board of Supervisors at the City Hall, in the City of Albany, pursuant to adjournment.

NOVEMBER 12, 1867, all the members being present. After discharging their duties as County Canvassers, the Board adjourned.

On November 19 the Board met according to

adjournment, at which meeting the CITY BUDGET was presented, which amounted to \$493,202.

*GRAND JURORS.*—The apportionment of Grand Jurors according to the census of 1860 was as follows:

First Ward, 24; Second Ward, 13; Third Ward, 15; Fourth Ward, 10; Fifth Ward, 6; Sixth Ward, 9; Seventh Ward, 17; Eighth Ward, 21; Ninth Ward, 22; Tenth Ward, 28; Bethlehem, 19; Berne, 8; Coeymans, 8; Cohoes, 23; Green Island, 4; Guiderland, 9; Knox, 5; New Scotland, 9; Rensselaerville, 9; Westerlo, 9; West Troy, 23; Watervliet, 16; total, 300.

#### REGISTRY LAW.

At a meeting of the Board of Supervisors held Dec. 5, 1867, Mr. Staats made an attack upon the registry law, asserting in an address on the subject that the law was very onerous and expensive, and did not answer any good or useful purpose.

On December 6 the County Budget was presented, amounting in all to \$776,990.21, to which was added audited accounts of \$1,334.15.

#### COUNTY TREASURER'S REPORT.

Stephen Frederick also submitted his annual statement of money received and disbursed from the first day of January, 1867, to Dec. 1, 1867, which showed that he had received from all sources \$886,414.58; that he had paid out during that time the sum of \$886,414.58.

The equalization of the value of real estate in the County of Albany was fixed by the committee of equalization as follows:

Berne, per acre, \$17.50; Bethlehem, per acre, \$57.50; Coeymans, per acre, \$35.50; Guiderland, per acre, \$37.50; Knox, per acre, \$18; New Scotland, per acre, \$38; Rensselaerville, per acre, \$18.50; Westerlo, per acre, \$19.50; Watervliet, per acre, \$60.

It was also adopted that in the city of Albany the assessed valuation be the equalized valuation.

After a spirited debate it was resolved that the County Treasurer be authorized to borrow \$100,000 upon the credit of the county to pay bonds due March 1, 1868.

*PERCENTAGE OF TAXATION.*—The following was reported as the percentage of taxation in the city and several towns, which was agreed to:

City, 3.56; city west of Partridge street, 3.09; city west of Allen street, 3.00; Berne, 3.60; Bethlehem, 1.86; Coeymans, 1.84; Guiderland, 2.96; Knox, 3.08; New Scotland, 2.30; Rensselaerville, 2.18; Westerlo, 2.48; Watervliet, 1.72; West Troy, 2.04; Cohoes and Green Island, 2.04.

Adopted.

ANNUAL SESSION OF 1868—MAY 12, 1868.

Supervisors present:

First Ward, William J. Weaver; Second Ward, Lawrence Carey; Third Ward, John Kelly; Fourth Ward, John C. Feltman; Fifth Ward, Barent P. Staats; Sixth Ward, Alexander A. Edmeston; Seventh Ward, Bernard Kavanaugh; Eighth Ward, Henry T. O'Connor; Ninth Ward, Edward Whitty; Tenth Ward, Christopher Bender; Berne, James A. Reamer; Bethlehem, George C. Adams; Coeymans, John B. Shear; Guiderland, Hiram Griggs; Knox, Peter Schoonmaker; New Scotland, Samuel Patton; Rensselaerville, William Magivny; Watervliet, William J. Wheeler. William J. Wheeler was elected chairman; George V. Thacher, clerk; Dr. Barent P. Staats, county physician; William Doody, doorkeeper.

On Wednesday, May 13, the Chairman announced the standing committees.

#### BAD CONDITION OF THE COUNTY JAIL.

The Chairman presented a communication from Hon. Henry Smith, District Attorney, showing the lamentable condition of the County Jail. He says :

"In the main apartment you will find sixty male prisoners, including some children, confined in one common room, where those youthful in years, and those who have committed their first criminal error, perhaps those who are entirely innocent, are exposed to the influences, and often to the physical tortures, of the most depraved of men.

"In another room, of about fifteen by eighteen, you will find some twenty-two females of various ages, even to extreme old age; some reasonably tidy and others repulsively filthy; some apparently well and others suffering from loathsome diseases, crowded together in a space where there is scarcely room for all to lie down at once. In short, you will find a state of things that would shame a semi-civilized community, and would not be tolerated by the people of this county for one hour if they could for a moment look in upon the appalling horrors of that fearful den, kept under their authority, for the detention of persons accused of crime. This state of affairs," Mr. Smith continues, "is no fault of the Sheriff or Jailer, but results from want of suitable rooms."

Mr. Smith's report of the condition of the jail produced the most profound sensation throughout the city and county, resulting, as we shall see, in an entire change in the management of the jail. A special committee was appointed with power to expend at least \$4,000.

The following was adopted :

*Resolved*, That the Superintendent of the Capital Police be and is hereby instructed to notify the several captains and sergeants of the Police of the Town of Watervliet to convey prisoners under sentence to the Penitentiary, in place of leaving them at the County Jail.

A SPECIAL MEETING was held June 16, 1868. The principal business under consideration was the improvement of the County Jail. The following resolution was adopted :

*Resolved*, That the Special Committee, to whom was referred the necessity of altering the County Jail, be authorized to receive proposals in accordance with the plans submitted to the Board, with the additional story with a wing on the east side, as presented by Mr. Edmeston, at an expense not exceeding \$2,500.

#### NOVEMBER SESSION.

The Board convened as County Canvassers, November 10, 1868, all the Supervisors present. After concluding the canvass, the Board adjourned until Wednesday, November 11.

Mr. Edmeston offered the following :

*Resolved*, That the County Treasurer be and he is hereby authorized to pay to the contractors upon jail improvement the sum of \$4,000, upon the said contractors presenting certificates, signed by the architect and Chairman of the Committee on Jail Improvement, stating that such sum is actually due them.

Which was adopted.

Mr. Reamer offered the following :

*Whereas*, The enlargement of the County Jail during the summer has been a source of great inconvenience to the Jailer, and attended with considerable extra expense, he having been obliged to send his family into the country for several months ; therefore

*Resolved*, That the County Treasurer be authorized to pay Albert Gallup extra compensation as Jailer of the County of Albany.

Which was adopted.

GRAND JURORS.—On December 8 Mr. Shear presented the following apportionment of Grand Jurors in and for the County of Albany:

City—First Ward, 21; Second Ward, 11; Third Ward, 11; Fourth Ward, 10; Fifth Ward, 6; Sixth Ward, 9; Seventh Ward, 14; Eighth Ward, 21; Ninth Ward, 21; Tenth Ward, 30. Towns—Berne, 7; Bethlehem, 16; Coeymans, 10; Guiderland, 11; Knox, 6; New Scotland, 9; Rensselaerville, 9; Westerlo, 8; Cohoes, 15; Green Island, 5; West Troy, 24; Watervliet, 16.

CITY BUDGET.—Mr. Bender presented the City Budget. This amounted, in gross, to the sum of \$616,611.37, of which the sum of \$82,766.87 was the proportionate part of Police expenses apportioned to the City of Albany for the fiscal year ending October 1, 1869, pursuant to section 45, chapter 544, laws of 1865.

IMPROVEMENTS ON JAIL.—Mr. Edmeston, from the Special Committee on the improvements of the Jail, presented a report showing, among other things, that the total cost of the entire improvements on the Jail amounted to \$8,142.18.

OFFICIAL COUNTY PAPERS.—The *Argus* and *Express* were, on ballot, designated as the official county papers.

COUNTY BUDGET.—On December 11 the County Budget was presented, which amounted to \$585,168.29. On motion of Mr. Gregg it was

*Resolved*, That there be levied and assessed upon the taxable property of the County the sum of \$600,000, being the amount mentioned in the County Budget presented this day to the Board, and including the audited accounts of this Board.

The resolution was adopted.

DEATH OF SUPERVISOR REAMER.—On the assembling of the Board in the afternoon of December 11, Supervisor Schoonmaker arose and, in touching language, announced the death of Supervisor Reamer, of Berne. The tribute he paid to his memory was as just as it was eloquent and impressive. He closed by saying:

"I feel a bereavement which will cast a deep gloom over all who are numbered as his acquaintances. A political antagonist and a neighbor, never has an event occurred to mar the harmony of our intercourse, and no man could have been taken from us whose loss all would more deeply deplore."

He then submitted an impressive preamble, followed by equally impressive resolutions, touching the exemplary life and useful career of the deceased Supervisor. Among the resolutions was one to the effect that the Chairman's and Clerk's desks and the vacant chair of the deceased be draped in mourning. It was also resolved that the Board attend the funeral in a body, and to adjourn until Tuesday next at 3:30 P. M.

Mr. Feltman, in seconding the resolutions, which were adopted, paid a well-deserved tribute to the memory of the deceased.

TREASURER'S ANNUAL STATEMENT.—On December 15, 1868, the Board met pursuant to adjourn-

ment, and Stephen V. Frederick presented his annual statement of moneys received and disbursed from the 1st day of December, 1867, to the 1st day of December, 1868, which amounted in all to \$857,492.54; disbursements amounted to \$857,492.54. His report showed a balance in his hands of \$1,537.70.

#### COUNTY BOUNTY FUND.—

##### Receipts:

Balance on hand.....	\$3,313 00
Proceeds of sale of County Bonds.....	150,000 00
Premiums.....	3,618 76
Transferred from General Fund.....	213,000 00
	<u>\$370,031 76</u>

##### Disbursements:

Cash paid bonds due March 1, 1868.....	\$248,100 00
Cash paid bonds due March 1, 1867.....	2,200 00
Six per cent. interest on \$20,000 ..	870 00
Coupons due March 1, 1868.....	58,329 25
Coupons due September 1, 1868.....	53,744 00
Coupons due March 1, 1867.....	267 75
Coupons due September 1, 1867.....	1,603 00
Coupons due March 1, 1865.....	105 00
Coupons due September 1, 1865.....	299 25
Certificate of bond to Ira Heaphy.....	552 50
Certificate of bond to Nelson Van Patten to S. Tuttle.....	587 50
Interest on \$30,000 to Loan Committee.....	2,100 00
Balance.....	1,273 26
	<u>\$370,031 76</u>

**EXCISE.**—The whole number of licenses granted in the County for the year 1868 was 640.

The County was divided this year into three licensed districts, each placed in charge of one excise commissioner. Mr. S. F. Powell was one; Mr. E. Newcomb was the second; Mr. Gonsalus was the third.

The whole number of licenses granted in Mr. Powell's district was 161, at \$30 each, making \$4,830.

The whole number issued in Mr. Newcomb's district was 159; 157 of which were at \$30 each, one at \$150, and one at \$75.

The whole number in Mr. Gonsalus' district, was 140, as follows:

West Troy, 55; Cohoes, 33; Green Island 6; Watervliet, 16; Seventh Ward, 30; total, 140, at \$30 each, amounting to.....	\$4,200 00
Paid county treasurer.....	3,550 00
Balance on hand.....	<u>\$650 00</u>

Sum total of Mr. Powell's district.....	\$4,830 00
" " " " Newcomb's district.....	4,935 00
" " " " Gonsalus' district.....	4,200 00
Total.....	<u>\$13,965 00</u>

Total amount paid to county treasurer by Mr. Powell.....	\$3,500 00
Total amount paid to county treasurer by Mr. Newcomb.....	4,105 00
Total amount paid to county treasurer by Mr. Gonsalus.....	3,550 00
	<u>\$11,155 00</u>
Total.....	<u>\$2,810 00</u>

The excise question this year, and for several years previous, was a matter of great embarrassment and expense to the county. A large number of suits for the violation of excise laws had been commenced. Numerous judgments had been obtained without any return to the county, and at a very heavy expense to the taxpayers. This subject occupied much of the time of this session. Finally on Jan. 6, 1869, on motion of Mr. Weaver, the Board resolved to settle all judgments now on file for violation of the then present excise law for the sum of twenty-five cents on the dollar upon all sums represented by such judgment and costs, provided the amount was paid to Geo. V. Thacher, the present Clerk of the Board, on or before the first day of April, 1869.

Mr. Staats introduced a resolution denouncing the excise law, and moved that the committee on application to the Legislature be requested to prepare a law which will invest the whole power of excise in the Police Commissioners so far as the police districts exist in this county, and that where they do not exist the supervisors of the several towns shall grant licenses for the sale of malt and alcoholic liquors. This resolution was adopted.

Mr. Weaver moved that the following be added to the resolution relative to judgments obtained by the Excise Commissioners:

*Resolved*, That if it be found that any of the parties against whom these judgments are held are in such circumstances that they are utterly unable to pay the same, that such non payments be, upon the recommendation of the supervisor of the ward or town in which such parties reside, canceled for the sum of one dollar.

#### Adopted.

When it is known that each of the defendants in those judgments could, on executions issued upon them, have been arrested and imprisoned for non-payment, the lenity of the Board in regard to them will be fully appreciated. After some other business the board adjourned *sine die*.

Proceedings of the Annual Spring Session of the Board of Supervisors of the City and County of Albany, held in the City Hall, in the City of Albany, May 11, 1869.

#### Members present:

First Ward, Wm. J. Weaver; Second Ward, Lawrence Carey; Third Ward, Aaron B. Pratt; Fourth Ward, John C. Feltman; Fifth Ward, Wm. Haskell; Sixth Ward, Alexander A. Edmeston; Seventh Ward, John Fitzgerald; Eighth Ward, James D. Walsh; Ninth Ward, Christian Schurr; Tenth Ward, Dr. Gallez; Berne, Alfred Hungerford; Bethlehem, George C. Adams; Coeymans, John B. Shear; Guilderland, Hiram Griggs; Knox, Peter Schoonmaker; New Scotland, Nicholas B. Houck; Rensselaerville, William Magivny; Watervliet, Wm. J. Wheeler; Westerlo, Julius Thayer.

Chairman, Wm. J. Wheeler.

Clerk, Charles J. Pease.

County Physician, Milton M. Lamb.

Doorkeeper, Anthony Daug.

The Board met according to adjournment on May 13, 1869. The minutes of the last meeting read and approved.

The Chairman then announced the **STANDING COMMITTEES** for the ensuing year.

After conducting some business, the Board adjourned till the

## NOVEMBER SESSION.

On November 9, 1869, the Board convened according to adjournment; all the Supervisors present. In the absence of Mr. Wheeler, Mr. Shear was chosen Chairman *pro tem*.

After discharging the duties of County Canvassers, the Board adjourned.

At the meeting held November 10, an interesting statement in regard to taxes in the County was presented.

Mr. Weaver presented this statement to the Board, in the following manner:

## ALBANY CITY.

We here find that the assessed value of real and personal estate for the City of Albany has increased from 1860 to 1868 \$1,118,426, being an increase of four and one-half per cent.; while the equalized value in the same period has increased \$3,158,461, being an increase of thirteen and one-sixteenth per cent.

Now, while the assessed value of the City of Albany has increased four and one-quarter per cent., the assessed value of all the towns combined has increased eighteen and one-sixth per cent., and while the equalized value for the City of Albany has increased thirteen and one-sixteenth per cent., the increase in all the other towns combined is but nine and one-half per cent.

	ASSESSED VALUE.		EQUALIZED VALUE.	
	Increase.	Decrease.	Increase.	Decrease.
Berne.....	\$161,264	\$54,957	\$38,613	\$114,844
Bethlehem.....		1,454		89,368
Coeymans.....		81		91,948
Guiderland.....		50,035		46,724
Knox.....	1,915			86,337
New Scotland.....		117,859		118,267
Rensselaerville.....		89,479		113,623
Watervliet.....	2,563,427		1,881,007	
Increase in towns.....	\$2,726,606	\$313,865	\$1,919,620	\$661,111
Decrease in towns.....	313,865		661,111	
Total increase.....	\$2,412,741		\$1,258,509	
Albany City.....	1,118,426		3,158,461	
Total in County.....	\$3,531,167		\$4,416,970	

In the above table nearly \$1,000,000 of the increased assessed value in the town of Watervliet is credited to the year 1868.

**CITY BUDGET**—For the year 1869 amounted in all to \$601,188.29.

The salary of the County Physician was fixed by resolution at the sum of \$500 per annum.

**COUNTY BUDGET.**—The county budget for the year 1869 amounted in all to \$583,517.98.

**COUNTY TREASURER.**—Mr. Theyer presented the bond of County Treasurer-elect Alexander Kennedy, Esq. It was signed by Jonathan R. Henrick, Jas. A. McDonald and Philip O'Brien. It was in the penalty of \$100,000.

The supervisor of the town of Coeymans was authorized to borrow on the credit of the town the sum of \$2,000 to pay damages and expenses in rebuilding and repairing bridges and roads damaged by a flood in the said town.

**EXCISE.**—The Commissioners of Excise, Messrs. E. Newcomb, J. Reynolds and G. W. Gonsalus, reported the following as the whole number of licenses and amounts of money received for the same for the year 1869:

Whole number granted at \$30.....	419
" " " " 10.....	27
" " " " 75.....	1
" " " " 150.....	1

Total number in the county.....	448
As follows: 419 at \$30.....	\$12,570 00
27 " 10.....	270 00
1 " 75.....	75 00
1 " 150.....	150 00

Total receipts.....	\$13,065 00
Paid county treasurer.....	11,163 00

**COUNTY TREASURER'S STATEMENT.**—The County Treasurer transmitted his annual statement of money received and disbursed from the first day of December, 1868, to the first day of December, 1869, showing a balance on hand:

Receipts from all sources.....	\$818,158 54
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## DISBURSEMENTS.

Resolution.....	\$305 89
Audit accounts.....	130,640 11

Total with remainder of disbursements.....	\$818,158 54
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Stephen V. Frederick, County Treasurer, in account with County of Albany:

1868.	Dr.	
Dec. 1, to balance on hand.....		\$1,273 26
March 1, to net proceeds from sale of Albany County bonds.....		253,761 55
Transferred from general account.....		205,000 00
		<u>\$460,034 81</u>

1869.	Cr.	
December, to balance.....		\$1,130 56
1869.	Cr.	
Paid bonds due March, 1869.....		\$348,000 00
" " " 1868.....		700 00
" interest on \$29,000 (6 per cent.).....		870 00
" coupons of 1867, 1868, 1869.....		109,334 25
By balance.....		1,130 56
		<u>\$460,034 81</u>

Proceedings of the Board of Supervisors of Albany city and county at the annual meeting held

at the City Hall in the City of Albany, May 12, 1870.

The members present were :

First Ward, Wolfgang Meyer ; Second Ward, Frederick Schifferdecker ; Third Ward, Wm. J. Weaver ; Fourth Ward, George P. Lynd ; Fifth Ward, Thomas H. Craven ; Sixth Ward, John C. Feltman ; Seventh Ward, Abraham B. Garfield ; Eighth Ward, Henry K. Haskins ; Ninth Ward, James Bartley ; Tenth Ward, Thomas Kanary ; Eleventh Ward, John R. Stewart ; Twelfth Ward, John McKenna ; Thirteenth Ward, Philip Frederick ; Fourteenth Ward, M. H. Kenneally ; Fifteenth Ward, David W. Seeley ; Sixteenth Ward, George B. Hoge.

#### COHOES.

First Ward, Joseph Coleman ; Second Ward, W. Taylor Dodge ; Third Ward, John Scully ; Fourth Ward, Solomon Dotter.

#### TOWNS.

Berne, Alfred Hungerford ; Bethlehem, George C. Adams ; Coeymans, John B. Shear ; Guelderland, Iliam Griggs ; Knox, Peter Schoonmaker ; New Scotland, Alonzo B. Voorhees ; Rensselaerville, Wm. Magivny ; Watervliet, Wm. J. Wheeler ; Westerlo, Orson L. Hannay. Chairman, Wm. J. Weaver ; Clerk, Charles J. Pease ; County Physician, Milton M. Lamb ; Doorkeeper, Daniel McClary.

After the transaction of some unimportant business the Board adjourned.

A special meeting of the Board took place in the Common Council Chamber, at which all the members were present. This meeting was called for the purpose of hearing a report from the special committee appointed to take charge of the alteration of the Supervisors' room. A somewhat heated discussion arose, after which the report was read, showing that the work had been let to Messrs. Norman and Treadwell, architects, of Albany, who made plans and specifications for the work which had been adopted.

They advertised in the county papers for proposals for the work as follows :

- For carpenter work.
- For carpenter and mason work.
- For carpenter, mason work and painting.
- For mason work.
- For painting.

The committee had awarded the work as follows :

Carpenter work to George Martin, Troy, for....	\$963 43
Mason work to Alex. Shanley for.....	70 00
Painting to Wm. Griffin.....	184 00
Total.....	\$1,217 42

The committee sold the old furniture and carpets at auction for \$79, less \$7.90 expenses.

FALL SESSION.—The Board convened November 5, 1870. A full Board present, except Supervisor-Fredericks.

AN INTERESTING QUESTION TOUCHING EXCISE.—at a previous meeting of the Board, a resolution was adopted denying the Commissioners of Excise the right to employ counsel to prosecute suits for them and conferring the right to employ counsel for them upon the Law Committee of the Supervisors. The Commissioners denied the right of the supervisors to interfere in the matter. Litigation

ensued and the case finally terminated in the Court of Appeals, which court decided that the Commissioners of Excise had the power to employ counsel to prosecute such claims as they decided were proper to prosecute for any violation of the excise law. On Nov. 21, 1870, the report of the Committee on Equalization was presented. It is an interesting and instructive report, too long, however, to be inserted in this work; but the reader is referred to pages 37-38 of the journal of the Board of Supervisors for 1870 for the tabulated report, and to pages 39, 40, 41, 42, 43, 44, 45 for the proceedings of the Supervisors, and the opinion of the Attorney General in relation to the said report.

On November 28, Joseph C. Y. Paige, City Chamberlain, made a report to the Supervisors of the county, pursuant to chapter 77, section 43, laws of 1870, that according to his estimate it would require for the expenses of the District Attorney's office for the ensuing year ending Oct. 31, 1871, the sum of \$3,000 for the following purposes, viz. :

Salaries of two special officials at \$1,200.....	\$2,400 00
Traveling and other necessary expenses.....	600 00
Total.....	\$3,000 00

GRAND JURORS.—On December 1, 1870, Mr. Adams, from the committee appointed to apportion the Grand Jurors for the County of Albany, reported as follows :

First Ward, 8; Second Ward, 8; Third Ward, 9; Fourth Ward, 13; Fifth Ward, 10; Sixth Ward, 14; Seventh Ward, 6; Eighth Ward, 10; Ninth Ward, 8; Tenth Ward, 6; Eleventh Ward, 13; Twelfth Ward, 9; Thirteenth Ward, 11; Fourteenth Ward, 9; Fifteenth Ward, 11; Sixteenth Ward, 11.

#### TOWNS.

Berne, 7; Bethlehem, 15; Coeymans, 10; Knox, 6; New Scotland, 9; Rensselaerville, 9; Guelderland, 11; Westerlo, 8; Cohoes, First Ward, 7; Cohoes, Second Ward, 5; Cohoes, Third Ward, 8; Cohoes, Fourth Ward, 5; Green Island, 5; West Troy, 24; Watervliet, 15.

CITY BUDGET.—On December 5 the City Budget was presented to the Board, which amounted in all to \$675,573, \$195,730 of which was for the support of Public Schools, pursuant to chapter 444, laws of 1866.

COUNTY TREASURER.—On December 7 Alexander Kennedy, County Treasurer, transmitted his annual statement of money received and disbursed from January 1, 1870, to December 1, 1870.

The receipts amounted to.....	\$891,000 67
The disbursements were.....	891,000 67

#### EQUALIZATION OF ASSESSMENTS, COUNTY OF ALBANY, ANNUAL SESSION OF 1871.

The Board convened pursuant to statute, at the City Hall in the City of Albany, Tuesday, May 9, 1871. Supervisors present:

#### ALBANY.

First Ward, Peter Halpen ; Second Ward, Frederick Schifferdecker ; Third Ward, William J. Weaver ; Fourth Ward, Richard Bortle ; Fifth Ward, Thomas H. Craven ; Sixth Ward, John C. Feltman ; Seventh Ward, Ira Porter ; Eighth Ward, Henry R. Haskins ; Ninth Ward, Andrew

Kean; Tenth Ward, Andrew R. Hunter; Eleventh Ward, John McHaffie; Twelfth Ward, John McKenna; Thirteenth Ward, Edmund J. Lord; Fourteenth Ward, Michael H. Kenneally; Fifteenth Ward, Jacob H. Ten Eyck; Sixteenth Ward, Patrick H. Daly.

## COHOES.

First Ward, Joseph Coleman; Second Ward, W. Taylor Dodge; Third Ward, John Scully; Fourth Ward, Solomon Dotter.

## TOWNS.

Berne, William Zeh; Bethlehem, Albertus W. Becker; Coeymans, John B. Shear; Guiderland, Hiram Griggs; Knox, Peter Schoonmaker; New Scotland, Robert Taylor; Rensselaerville, Walter R. Tanner; Watervliet, Emmet Flagler; Westerlo, Warren Rosenkrans.

The following were the officers chosen for the year 1871:

President, William J. Wheeler; Clerk, Charles L. Pease; County Physician, Dr. Milton M. Lamb; Doorkeeper, Edward J. Flanagan.

**STANDING COMMITTEES.**—On May 10, 1871, the President announced the Standing Committees.

**FALL SESSION.**—The Board met according to adjournment, November 14, 1871, all members being present. After attending to the duties required of them as a Board of Canvassers, they adjourned.

**COUNTY JUDGE'S SALARY.**—On November 21, 1871, a communication was presented to the Board of Supervisors, signed by Hon. Hamilton Harris, Hon. Wm. L. Learned, Hon. Amasa J. Parker, Hon. Lyman Tremain, Hon. Samuel Hand, Warren S. Kelley, Esq., Simeon W. Rosendale, Esq., M. Frothingham, Esq., N. Swartz, Esq., and nearly every member of the profession in the city, setting forth that the duties of the County Judge would thereafter be very largely increased, in consequence of the enlarged jurisdiction given to the County Courts by the late amendments of the Constitution of the State, and that a salary of \$5,000 per year would be no more than an adequate compensation for the performance of the duties of County Judge; and, therefore, as a matter of justice to the occupant of the office as for the dignity of the position, they respectfully ask the Board to fix the future salary of that office at a sum not less than \$5,000. In accordance with this communication a resolution was adopted fixing the salary of County Judge on and after the 1st day of January then next at \$5,000, in quarterly payments.

The County Treasurer transmitted his annual statement of moneys received and disbursed from the 1st of December, 1870, to the 1st of December, 1871, showing a balance on hand.

The whole amount of such receipts amounted to the sum of \$1,164,420.11; the disbursements amounted that year to \$1,164,420.11.

Equalized valuation of the City and County of Albany:

President Weaver, from the Committee on Equalization of Taxes, made the following report, which was adopted:

## EQUALIZED VALUATION.

	Real.	Personal.	Total.
City of Albany	\$25,771,837 00	\$5,841,183 00	\$31,613,020 00
Berne	674,780 94	14,864 37	689,645 31
Bethlehem	1,765,650 00	130,161 00	1,895,811 00
Coeymans	1,175,575 00	130,135 00	1,305,701 00
Guiderland	1,059,574 00	79,341 00	1,138,915 00
New Scotland	1,420,595 00	80,773 00	1,501,368 00
Knox	437,945 00	12,185 00	450,130 90
Rensselaerville	653,765 00	79,700 00	733,465 00
Westerlo	719,870 00	40,416 00	760,286 00
Watervliet	2,246,440 00	300,500 00	2,546,940 00
Green Island and W. T.	2,125,120 00	444,583 00	2,569,703 00
Cohoes	2,772,920 00	293,000 00	3,066,520 00
Total	\$40,830,071 94	\$7,456,441 37	\$48,286,595 21

## ANNUAL SPRING SESSION, 1872.

Proceedings of the Board of Supervisors of the City and County of Albany, held at the City Hall, in the City of Albany, May 14, 1872. Members present:

## ALBANY.

First Ward, Charles A. Dennison; Second Ward, Peter Halpen; Third Ward, Moses White; Fourth Ward, Thomas H. Craven; Fifth Ward, Francis N. Sill; Sixth Ward, Horatio P. Prime; Seventh Ward, Marshall Tebbutt; Eighth Ward, John Daly; Ninth Ward, James McMurray; Tenth Ward, Leopold C. G. Kshinka; Eleventh Ward, John McHaffie; Twelfth Ward, William Hutchinson; Thirteenth Ward, Edmund J. Lord; Fourteenth Ward, Jacob H. Ten Eyck; Fifteenth Ward, George B. Hoyt; Sixteenth Ward, Robert S. Dumont.

## COHOES.

First Ward, Michael Sherlock; Second Ward, W. Taylor Dodge; Third Ward, James McGuirk; Fourth Ward, William Nelligan.

## TOWNS.

Berne, William Zeh; Bethlehem, Albertus W. Becker; Coeymans, Cornelius Van Derzee; Guiderland, Hiram Griggs; Knox, Peter Schoonmaker; New Scotland, Robert Taylor; Rensselaerville, William R. Tanner; Watervliet, Emmet Flagler; Westerlo, Orson L. Hannay.

Mr. Flagler offered the following resolution:

*Resolved*, That the following-named persons be and are hereby appointed permanent officers of the Board of Supervisors of Albany County for the ensuing year:

President, Hiram Griggs; Clerk, William Anderson; County Physician, James F. McKown; Doorkeeper, Richard B. Hagadorn.

At a meeting of the Board May 15, 1872, the Chairman announced the standing committees.

At a meeting of the Board December 7, 1872, the Chairman from the Committee on Equalization reported as follows :

Cities and Towns.	Real.	Personal.	Total.
City of Albany.....	\$27,771.839 00	\$5,614.769 20	\$33,386.608 20
Cohoes.....	2,795.805 00	290.100 00	3,085.905 00
Berne.....	656.217 00	19,671 00	675.888 00
Bethlehem.....	1,824.115 00	119,506 00	1,943.621 00
Coeymans.....	1,179.165 00	126,355 00	1,307,520 00
Guilderland.....	1,038.849 00	71,682 00	1,110,531 00
Knox.....	403.720 00	30,515 00	434.235 00
New Scotland.....	1,386.143 00	81,376 00	1,467,519 00
Rensselaerville.....	638.302 00	78,119 00	716,421 00
Westerlo.....	675.840 00	50,266 00	725,906 00
Watervliet.....	2,300.000 00	278,350 00	2,578,350 00
Green Island and West Troy.....	2,315.490 00	448,608 00	2,764,098 00
Grand Total.....	\$42,985,285 00	\$7,211,317 20	\$50,196,602 20

H. Griggs, Geo. B. Hoyt, Jno. McHaffie, W. T. Dodge, H. A. Prince, A. W. Becker, O. L. Hannay, Wm. R. Tanner, L. C. G. Kshinka, Peter Halpin, *Committee*.  
Report adopted.

THE CITY BUDGET was also presented at this meeting.

Mr. Schoonmaker, Chairman of the Finance Committee, moved that \$200,000 of the war debt of the County be funded, which motion was adopted.

COUNTY BUDGET.—A motion was presented ordering that the sum of \$771,626.31 be levied and assessed on the taxable property of the County of Albany, to be applied for various purposes, among which were the following :

State and school tax.....	\$452,323 39
Support of Alms house.....	15,000 00
Support of Patients in State Lunatic Asylum..	25,000 00
Supervisors and officers.....	13,000 00
Principal due on County bonds.....	174,000 00
Audited accounts.....	110,000 00
Contingents.....	15,000 00

Making with other items..... \$971,626 39

Less the sum of \$200,000 ordered funded by the Board.

The ratio of taxation for State and County purposes was fixed by the Board at \$1.54. The ratio of taxation in the City of Albany, City of Cohoes, and the several towns was fixed as follows :

City of Albany, \$4.10; City of Cohoes, \$1.72; Berne, \$3.96; Bethlehem, \$1.70; Coeymans, \$1.80; Gilderland, \$2.88; Knox, \$2.00; New Scotland, \$1.64; Rensselaerville, \$3.00; Westerlo, \$2.40; Watervliet, \$2.24.

The great looseness in the form of accounts for legal services which had been presented to the Board, and also in the manner of their verification, led to the following by Mr. Kshinka :

*Resolved*, That no accounts for legal services rendered in any proceedings before any Justice of the Peace or Police Justice, shall be audited by the Board of Supervisors of Albany County, unless certified by the Justice before whom such proceedings shall be had that such services were actually necessary and rendered at his request, and all such accounts shall be accompanied by a statement showing the result of the proceedings in each case; which resolution was adopted.

The salary of the District Attorney was fixed and established at \$4,500 per annum, commencing on the 1st of January, 1872.

Mr. Schoonmaker, from the Finance Committee, reported the following :

*Resolved*, That there be levied upon the taxable property of Albany the sum of \$867,562.15 for the following purposes:

City Budget.....	\$631,441 57
Police Department.....	116,500 00
Park Commissioners.....	61,864 56
City charges.....	11,794 29
Unpaid Taxes due the County.....	45,961 73
Total.....	\$867,562 15

The Board adjourned December 19.

#### 1873—ANNUAL SPRING SESSION.

The board met at their rooms in the City Hall, Tuesday, May 13, 1873.

Supervisors present:

#### ALBANY.

First Ward, Charles A. Dennison; Second Ward, John Lyons; Third Ward, Moses White; Fourth Ward, James Macfarlane; Fifth Ward, Alexander H. Wands; Sixth Ward, Horatio P. Prime; Seventh Ward, Marshall Tebbutt; Eighth Ward, John Daly; Ninth Ward, James Condon; Tenth Ward, Leopold C. G. Kshinka; Eleventh Ward, John McHaffie; Twelfth Ward, Wm. E. Murphy; Thirteenth Ward, Edmund J. Lord; Fourteenth Ward, Jacob H. Ten Eyck; Fifteenth Ward, Charles L. Pease; Sixteenth Ward, Warren S. Low.

#### COHOES.

First Ward, Silas Owen; Second Ward, George E. Simmons; Third Ward, James McGuirk; Fourth Ward, Cornelius Vandercook.

#### TOWNS.

Berne, William Zeh; Bethlehem, Albertus W. Becker; Coeymans, Cornelius Vanderzee; Guilderland, Hiram Griggs; Knox, Tunis Slingerland; New Scotland, Horace T. Devereux, Watervliet, Jesse C. Dayton; Westerlo, Orison L. Hannay. Chairman, Hiram Griggs; Clerk, Michael J. Powers; County Physician, Dr. J. F. McKown.

This session of the Board of Supervisors in its organization and appointments resembled the Assembly in many respects.

Among the matters of resemblance, two pages were on motion appointed, and their appointment was given to the Chairman, and seats were drawn. Spectators were impressed with the dignity, ability and courtesy which characterized the proceedings of the Board. It was indeed in all respects what the Legislature of the capital county of the State ought to be.

After the usual routine of business the Board adjourned.

*Special Session.*—August 20, 1873, the Board met in special session. On the 26th of August the Supervisors met the State Board of Assessors at Albany. This meeting was the only business transacted at this session, and that was of little importance.

*FALL SESSION.*—The Board met November 11, 1873; all the members present. After concluding their business as canvassers they adjourned till November 12, and proceeded with the regular order of business, presentation of petitions, of accounts, reports of standing committees and miscellaneous business.

A communication was read from N. K. Hopkins, Comptroller of the State, stating that the Board of Equalization of Taxes, in pursuance of chapter 312 of the laws of 1859, had fixed the aggregate valuation of property in Albany County at the sum of \$49,631,006, upon which a State tax of \$344,935.49 had to be levied for the then current fiscal year beginning October 1, 1873, being 6 $\frac{2}{3}$  mills on the dollar, for the following purposes:

	Mills.	Per chap.	Laws of
For schools.....	1 $\frac{1}{2}$	756	1873
For general purposes.....	1 $\frac{1}{2}$	765	1873
For bounty debt.....	2	765	1873
For new Capitol.....	1 $\frac{1}{2}$	765	1873
For asylums and reformatories	1 $\frac{1}{2}$	765	1873
For canal floating debt under			
chap. 171, laws 1859.....	1	765	1873
For new work on canals and			
extra repairs.....	1	766	1873
For payment of awards by			
Canal Appraisers and Canal			
Commissioners, pay certi-			
ficates of indebtedness and			
deficiency in sinking fund..	1 $\frac{1}{2}$	708	1873
For academies and union			
schools.....	1 $\frac{1}{2}$	765	1873
Total.....	6 $\frac{2}{3}$		

The following interesting report shows the amount which had been contributed from criminals by way of fines and penalties to the treasury of the County during the year 1873:

From Court of Oyer and Terminer and Court of County Sessions.....	\$575 00
Amount due County Treasurer last report .....	55 00
By amount paid County Treasurer.....	\$630 00

From Court Special Sessions.....	\$1,514 28
Amount due City Chamberlain last report.....	182 00
	\$1,696 28
By amount paid City Chamberlain.....	1,633 28
By amount due " " .....	\$63 00

## COUNTY TREASURER'S REPORT.

The County Treasurer's report from January 1 to November 29, 1873, inclusive, shows that the receipts to that time were \$1,211,922.53; the disbursements were \$1,211,922.53. The amount on hand as per report was \$52,500.

*PRINTING ACCOUNTS.*—Among the accounts for printing was the *Times* printing account, which was allowed and audited at \$1,648.25. The amount paid the *Argus* Company for printing was allowed at \$3,868.04.

Henly & Co. were also allowed the sum of \$1,690.36 for printing; the Albany *Knickerbocker*, \$789.75; Albany *Evening Post*, \$627.75; Albany *County Democrat*, \$209.25; Albany Publishing Company, \$861.75; William Bean, \$320; making a sum total of \$9,955.14.

*WAR LOAN BONDS.*—As there was to fall due on the 1st of March, 1874, the sum of \$183,000 of War Loan Bonds of the County, the payment of which would largely increase the rate of taxation, already excessively large, it was proposed that the Finance Committee borrow, on the credit of the County, that sum and issue County bonds therefor, with interest payable semi-annually, and the principal in three annual installments, payable March 1, 1881, 1882 and 1883. That such bonds be issued in the sums of \$100, \$500 and \$1,000 each.

*CORONERS.*—The amount of Coroners' and Physicians' fees for holding *post mortem* examinations from December 31, 1868, to December 31, 1873, inclusive, amounted to the sum of \$13,742. As these bills were yearly in the increase, many of the members of the Board pronounced the charges exorbitant, and therefore proposed to make the office of the Coroner of Albany County a salaried office, giving the Board of Supervisors power to determine the amount.

The assessment roll of the city this year showed a total value of real estate to be \$29,417.870; personal, \$4,970,457.50; total, \$34,388,327.50.

The assessment roll of the City of Cohoes for the year showed a total valuation of real estate to be \$3,084,208; personal, \$378,400; total, \$3,462,608.

The assessment rolls of the towns in the County of Albany showed a total valuation of real estate to be \$11,610,523; personal, \$1,158,899.17; making a grand total of \$12,769,422.17.

Grand totals of Albany, Cohoes, and the towns in the county, \$50,610,357.67.

*HOMEOPATHIC HOSPITAL.*—The sum of \$1,000 was ordered to be paid by the County Treasurer toward the Homeopathic Hospital.

## EQUALIZATION OF TAXES, ALBANY COUNTY, 1873.

	Acres.	Rate.	Real.	Personal.	Total.
City of Albany	38,953	\$17 00	\$28,627,751 87	\$4,970,457 50	\$33,598,209 37
Berne	31,481	57 64	662,201 00	18,520 21	680,721 21
Bethlehem	30,170	39 00	1,814,584 84	109,802 00	1,924,386 84
Coeymans	36,985	25 00	1,176,630 00	137,700 00	1,314,330 00
Guilderland	25,936	15 50	924,625 00	86,357 00	1,010,982 00
Knox	36,301	38 39	402,008 00	9,680 00	411,688 00
New Scotland	37,003	17 24	1,393,595 39	74,350 00	1,467,945 39
Rensselaerville	35,554½	19 00	638,130 00	76,116 17	714,252 17
Westerlo	33,340	70 91	675,535 50	37,516 00	713,051 50
Watervliet			2,304,139 40	270,050 00	2,634,189 40
Green Island and					
W. Troy			2,349,186 00	339,153 00	2,688,339 00
Cohoes			3,084,208 00	378,400 00	3,462,608 00
Totals			\$44,112,601 00	\$6,508,101 88	\$50,620,702 88

**CITY BUDGET.**—The amount levied upon the taxable property of the City of Albany this year was \$201,444.11; as follows:

Police Department	\$116,500 00
Park Commissioners	35,431 00
City charges	15,013 00
Unpaid taxes due county	34,500 11
Total	\$201,444 11

There was levied on the taxable property of the county this year the sum of \$955,162.49, less \$150,000, ordered funded by the Board, the same to be applied to the salaries of officers, etc. The largest item in the making of this account is the State and school tax, which amounted to \$344,935.49.

**PUBLISHING THE AUDITS.**—The *Sunday Press*, the *Cohoes News*, and *Times and Post*, were designated as papers to print the county audits.

**NEW COUNTY BUILDINGS.**—On December 10, 1873, Hon. Amasa J. Parker and Hon. Henry Smith addressed the Board concerning the erection of a new county building. Among other things, Judge Parker recommended that the lot fronting on Maiden lane, between the City Hall and jail, be obtained for the purpose of erecting thereon a suitable county building, so that prisoners could be conducted immediately from the jail to the court-room without danger of escape, and with no undue exposure. It would seem that the conve-

nient causeway between the jail and the New City Hall was the result of Judge Parker's suggestion, referred to in his address.

The County Treasurer's report for the year 1873 shows that his receipts amounted to \$1,211,922.53; the disbursements amounted to \$1,211,922.53; the balance on hand was \$52,500.

**TOWN AUDITS.**—The town audits for this year were as follows:

Berne	\$3,618 87
Bethlehem	2,933 25
Coeymans	1,954 89
Guilderland	2,024 68
Knox	762 11
New Scotland	1,050 51
Rensselaerville	4,368 22
Westerlo	1,423 91
Watervliet	46,875 85

**Election accounts and town elections:**

Cohoes City, election accounts arising in the several wards at the general election of 1873	\$688.89
Albany City	362,007.51

## 1874—SPRING SESSION.

The Annual Spring Session of the Board of Supervisors for this year commenced on Tuesday, May 12. Supervisors present:

First Ward, Augustus Whitman; Second Ward, Peter Lasch; Third Ward, John H. Finn; Fourth Ward, James Macfarlane; Fifth Ward, James Allanson; Sixth Ward, Horatio P. Prime; Seventh Ward, Worthington Foland; Eighth Ward, John Daly; Ninth Ward, John Kirkpatrick; Tenth Ward, George Messer; Eleventh Ward, Edward Kays; Twelfth Ward, John H. Grogan; Thirteenth Ward, Charles H. Smith; Fourteenth Ward, Jacob H. Ten Eyck; Fifteenth Ward, Charles L. Pease; Sixteenth Ward, Warren S. Low, Jr.

## COHOES.

First Ward, Thomas O'Dea; Second Ward, George E. Simmons; Third Ward, James Quirk; Fourth Ward, Maurice Fitzgerald.

## TOWNS.

Berne, George H. Reinhart; Bethlehem, Albertus W. Becker; Coeymans, Nelson Schermerhorn; Knox, Hiram Gage; Guilderland, Hiram Griggs; New Scotland, Henry H. Meed; Rensselaerville, Horace T. Devereux; Westerlo, Daniel M. Wooster; Watervliet, Jesse C. Dayton.

The following officers were elected:

President, Jesse C. Dayton; Clerk, Michael J. Powers; County Physician, Dr. D. V. O'Leary; Doorkeeper, James McCormick.

At a meeting held May 14 the President announced the Standing Committees.

The *Albany Argus* and *Express* were appointed to be the county papers for the ensuing year.

**DRAWING OF JURORS.**—It was

*Resolved*, That a wheel-box, similar to those usually used in drafts for military purposes, be procured, to be used by the County Clerk, Judge and Sheriff in the drawing of Grand and Petit Jurors; that these officers superintend such drawing; that any member of this Board may at any time visit said box and see that all the names are placed therein.

**FALL SESSION.**—The Board convened on November 10, 1874, all the members being present. After discharging their duties as County Canvassers the Board adjourned.

**THE COUNTY BUILDINGS.**—The committee to whom the subject of erecting County Buildings was

committed submitted a very able and elaborate report. They reported a building providing accommodation for all the County officers of the Tenth regiment, a County Court-room much larger than the present one, and a smaller Court-room which might be used when, as frequently occurs, several Courts are in session at the same time. If the building was entirely fireproof it would cost \$164,000; if only basement and first floor fireproof, \$124,000.

To this the cost of property to be purchased of private parties had to be added. The site was between the City Hall and the County Jail, running through from Pine street to Maiden lane, and was owned in part by the City of Albany, the County of Albany and private parties.

**ASSESSED VALUE OF PROPERTY.**—The assessed value of real estate in this county for the year 1869 was \$35,345,497. The State Board of Equalization placed the equalized valuation at \$40,000,000, being \$4,654,503 above the assessed value.

The assessed value of real estate for the year 1873 was.....\$44,188,851  
While the equalized was placed at.....43,161,203

Being less than the assessed.....\$1,027,648  
Thus it will be seen that in 1870 the county was equalized above assessed.....\$4,654,503  
While in 1873 the equalized was less than.....1,027,648

Making a sum of.....\$5,682,151

The Chairman presented a communication, showing the number of days which had been occupied by the different Courts in the city during the year :

Special Term, 16 days ; General Term, 51 ; Circuit and Court of Oyer and Terminer, 102 ; County Court and Court of Sessions, 95 ; Special Session Supreme Court, 54—making in all 318 days.

**CITY BUDGET**—Amounted this year to the sum of \$732,230.83.

The amount of uncollected personal tax was \$18,717.14.

**UNLICENSED PHYSICIANS.**—The following was adopted :

*Resolved*, That hereafter this Board will not allow any physician's claim unless he be a member of a county medical society, or has received a license to practice his profession from some medical college or board of censors.

The annual account of N. D. Wendell, Treasurer of the County, shows receipts from all sources amounted this year to \$1,250,840.19. Disbursements were \$1,250,840.19. The balance on hand was \$57,000.00.

**ALBANY POLICE FORCE.**—The sum of \$114,000 was designated as the sum required to defray the expenses of the Police force of the City of Albany for the year ending November 30, 1875, pursuant to the provision of Sec. 37, Chap. 77 of the Laws of 1870.

The Special Committee appointed to make the apportionment of Grand Jurors for the different cities and towns reported as follows :

## ALBANY CITY.

First Ward, 8; Second Ward, 10; Third Ward, 10; Fourth Ward, 14; Fifth Ward, 10; Sixth Ward, 11; Seventh Ward, 7; Eighth Ward, 13; Ninth Ward, 9; Tenth Ward, 11; Eleventh Ward, 13; Twelfth Ward, 10; Thirteenth Ward, 11; Fourteenth Ward, 11; Fifteenth Ward, 10; Sixteenth Ward, 11.

## TOWNS.

Bethlehem, 11; New Scotland 8; Guiderland, 10; Coeymans, 9; Berne, 6; Rensselaer, 7; Westerlo, 6; Knox, 5.

## COHOES CITY.

First Ward, 9; Second Ward, 8; Third Ward, 9; Fourth Ward, 5; Green Island, 5; West Troy, 21; Watervliet, 12.

## ASSESSMENT ROLLS.

*City of Albany, for 1875.*

Value of real property.....	\$30,386,889 00
" personal property.....	4,284,050 00
Total.....	\$34,670,939 00

*City of Cohoes.*

Value of real property.....	\$3,182,069 00
" personal property.....	425,909 00
Total.....	\$3,607,968 00

*Towns.*

Value of real property.....	\$11,734,174 60
" personal property.....	1,128,038 60
Total.....	\$12,862,212 20

Grand total of real and personal property.....\$51,140,110 20

## ALBANY COUNTY WAR LOAN BONDS.

*A Tabular Statement of Principal and Interest coming due yearly from 1875 to 1886, inclusive. Principal payable March 1. Interest payable semi-annually on the first days of March and September.*

1875.*		1876.	
Principal.	Interest.	Principal.	Interest.
\$174,900 00	\$71,600 00	\$126,000 00	\$70,000 00
71,600 00	.....	70,000 00	.....
\$246,500 00	.....	\$196,000 00	.....

1877.		1878.	
Principal.	Interest.	Principal.	Interest.
\$150,000 00	\$61,200 00	\$250,000 00	\$50,700 00
61,200 00	.....	50,700 00	.....
\$211,200 00	.....	\$300,700 00	.....

1879.		1880.	
Principal.	Interest.	Principal.	Interest.
\$87,000 00	\$33,000 00	\$87,000 00	\$27,000 00
33,000 00	.....	27,000 00	.....
\$120,000 00	.....	\$114,000 00	.....

\* Leaving \$1,000,000 outstanding after those due in 1875 are paid.

1881.		1882.	
Principal.	Interest.	Principal.	Interest.
\$50,000 00	\$21,000 00	\$50,000 00	\$17,500 00
21,000 00	.....	17,500 00	.....
\$71,000 00	.....	\$67,500 00	.....

1883.		1884.	
Principal.	Interest.	Principal.	Interest.
\$50,000 00	\$14,000 00	\$50,000 00	\$10,500 00
14,000 00	.....	10,500 00	.....
\$64,000 00	.....	\$60,500 00	.....

1885.		1886.	
Principal.	Interest.	Principal.	Interest.
\$50,000 00	\$7,000 00	\$50,000 00	\$3,500 00
7,000 00	.....	3,500 00	.....
\$57,000 00	.....	\$53,500 00	.....

## 1875.—ANNUAL SPRING SESSION.

The Board met at their rooms in the City Hall, Tuesday, May 11, 1875. Supervisors present:

## ALBANY.

First Ward, Charles Kirchner; Second Ward, Peter Lasch; Third Ward, Samuel J. Mee; Fourth Ward, James Macfarlane; Fifth Ward, Peter Kennear; Sixth Ward, E. C. Koonze; Seventh Ward, H. R. Haskins; Eighth Ward, William Dwyer; Ninth Ward, John Kirkpatrick; Tenth Ward, James Rooney; Eleventh Ward, Edward Kays; Twelfth Ward, William J. Carroll; Charles Gaus; Thirteenth Ward, Charles H. Gaus; Fourteenth Ward, William H. Haskell; Fifteenth Ward, Charles L. Pease; Sixteenth Ward, Warren S. Low, Jr.

## COHOES.

First Ward, Thomas O'Dea; Second Ward, Frank Brown, Jr.; Third Ward, Thomas B. Golden; Fourth Ward, Solomon Dotter.

## TOWNS.

Berne, George H. Reinhart; Bethlehem, John Wemple; Coeymans, Nelson Schemerhorn; Knox, James M. Chesebro; Guiderland, Hiram Griggs; New Scotland, Tunis Slingerland; Rensselaerville, Horace T. Devereux; Westerlo, Daniel M. Wooster; Watervliet, Jesse C. Dayton.

## OFFICERS.

President, Henry R. Haskins; Clerk, M. J. Powers; County Physician, Dr. D. V. O'Leary; Doorkeeper, John McGrath, Jr.

After drawing seats and the appointment of pages the Board adjourned until the next day, when the President named the Standing Committees.

**JAIL AT WEST TROY.**—After the announcement of the Standing Committees Dr. Buffington was appointed Physician at West Troy.

The several justices of the peace of the county were on motion directed to forward to the Board, by the 15th of November, their next report of the names of all persons sentenced to confinement in the Albany jail since January 1, 1875.

**EXTRA SESSION.**—An extra session of the Board convened August 3, 1875, for the purpose of considering the census claims. All the members were present. After full consideration and settlement of this matter the Board adjourned until the fall session.

**FALL SESSION.**—This session convened Tuesday, November 9, 1875, all the members present except President Haskins, whereupon Hiram Griggs was elected president *pro tem*.

**CITY BUDGET.**—On November 30 the city budget was received from Martin Delehanty, Clerk of the Common Council, which amounted in gross to \$599,050.46. Under a recent act the adoption of the report of the budgets required a vote of two-thirds of all the members. As two-thirds of the members present voted in favor of the budget, it was adopted.

**COUNTY TREASURER'S REPORT.**—On December 2 the County Treasurer submitted the annual report, showing that the money received by him during the year from all sources amounted to \$1,146,128.92; disbursements, \$1,146,128.92. This report was submitted to the Finance Committee.

**SEALER OF WEIGHTS AND MEASURES.**—On a formal ballot J. D. Burger was elected sealer of weights and measures for the then ensuing year.

**JUVENILE DELINQUENTS.**—By the laws of 1874, page 570, section 29, boards of supervisors, as we have seen, in the several counties, are empowered to determine the compensation of officers conducting juvenile delinquents to the House of Refuge, and of lunatics to the Lunatic Asylum. A resolution was therefore presented to the Board fixing the compensation fees for such services as follows:

For conveying one prisoner.....\$20 00  
Two prisoners on one day..... 35 00

**COUNTY BUDGET.**—On December 7, 1875, the county budget was presented and adopted, which amounted in gross to \$739,667.40; this sum was less amount funded \$100,000. The following was adopted:

• *Resolved*, That there be levied upon the taxable property of the city of Albany the sum of \$839,367.40, less one hundred thousand dollars ordered funded by the Board, and that the same be applied according to the amounts named in the said budget.

**PHYSICIANS AND CORONERS AGAIN.**—The difficulty and embarrassment connected with the fees of physicians and coroners continued, notwithstanding strenuous efforts to adjust the difficulties, until December 23, 1875, when the Board went into Committee of the Whole, Mr. Haskell in the chair, on the following resolution:

*Resolved*, That all physicians of this county shall receive for their services, when attending *post mortem* examinations by order of a coroner, the following fees:

For viewing the body and external examinations, and a certificate given to show cause of death, three dollars.

For viewing a body as to external appearances, with description of bruises, cuts, etc., five dollars.

*Post mortem* examination of thoracic cavity and dissection of heart and lungs, seven dollars.

*Post mortem* examination of thoracic and abdominal cavities, with dissection of their respective organs, ten dollars.

*Post mortem* examination of thoracic and abdominal organs and dissection of brain, fifteen dollars.

Examination as to sanity, five dollars.

Examination microscopically of the muscular tissues, as in trichinosis, by order of the Board of Health, twenty-five dollars.

The title was fixed, "Regulating the fees of physicians of Albany County." This resolution was ordered to a third reading.

On January 6, 1876, the Board went into Committee of the Whole on the following:

*Resolved*, That no coroner of the county shall hereafter order a *post mortem* examination of any case unless there is a suspicion that death has been caused by foul play or other mysterious cause, nor until he shall have consulted with the District Attorney of the county or his deputy, and received the opinion of those officers as to the propriety of such examination.

No claim for *post mortem* examination shall be hereafter audited unless bearing the affidavit of the coroner that the services therein charged were in fact rendered, and the certificate of the County Physician and District Attorney or his deputy that such examination was, in their opinion, necessary. Hereafter the coroner shall be allowed no fee for mileage while attending an inquest within the limits of the city in which the coroner resides.

The title was fixed, "An act providing for the manner of holding *post mortem* examinations," and was ordered to a third reading.

The Annual Spring Session of the Board of Supervisors was held at the City Hall, in the City of Albany, May 9, 1876.

The following members present:

#### ALBANY CITY.

First Ward, Augustus Whitman; Second Ward, John Lyons; Third Ward, Robert J. McCormick; Fourth Ward, Edward A. Maher; Fifth Ward, Wm. J. Flynn; Sixth Ward, E. C. Koonz; Seventh Ward, James Young; Eighth Ward, Wm. Dwyer; Ninth Ward, John Kirkpatrick; Tenth Ward, Thomas Hyde; Eleventh Ward, Edward Keays; Twelfth Ward, William A. Carroll; Thirteenth Ward, Charles H. Gaus; Fourteenth Ward, Wm. H. Haskell; Fifteenth Ward, Patrick H. Daly; Sixteenth Ward, D. J. Norton.

#### COHOES.

First Ward, Thomas Murphy; Second Ward, Frank Brown, Jr.; Third Ward, Thomas B. Golden; Fourth Ward, Joseph Stewart; Fifth Ward, George E. Simmons.

#### TOWNS.

Berne, T. J. Wood; Bethlehem, John Wemple; Coeymans, James N. Powell; Guiderland, Hiram Griggs; Knox, James M. Cheseboro; New Scotland, D. J. Raynsford; Rensselaerville, Albert T. Moore; Westerlo, D. M. Wooster; Watervliet, J. C. Dayton.

The calling of the roll of members proceeded until Wm. Dwyer, of the Eighth Ward, was called, when Mr. Wm. Rahill presented a protest against calling the name of any person from the Eighth Ward, as Supervisor, except his own, and submitted a certificate of that office from the Common Council of the City, and also the certificate of the County Clerk that he had duly qualified as required by law.

The Board adjourned till afternoon, when a somewhat bitter contest ensued over the matter. A motion to adjourn was lost; but after more argument an adjournment until evening was agreed to.

At five o'clock, there being no quorum, the Board adjourned.

In formal session, November 20, 1876, the Board convened; the Board was present with the exception of Messrs. Brown and Moore.

The Board assembled to take action in regard to the death of *Michael J. Powers*, late Clerk of the Board.

Appropriate resolutions expressive of esteem were presented by the Chairman of the Committee, Mr. Wm. J. Flynn, which were adopted.

At a meeting held November 21, 1876, the Board proceeded to ballot for officers, which resulted as follows:

President, Wm. H. Haskell.

Clerk, Daniel Fitzpatrick.

Journal Clerk, John Marcellus.

Doorkeeper, George Carroll.

County Physician, John M. Bigelow.

The President announced as pages Charles Sands and John Arthur.

At the afternoon session the President announced the list of Standing Committees.

At a meeting of the Board December 4, 1876, THE ANNUAL REPORT OF THE COUNTY TREASURER, showing receipts and disbursements of the office for the year ending November 30, 1876:

Balance on hand at last report.....	\$1,700 03
Total receipts.....	\$1,081,008 16

#### DISBURSEMENTS:

State general tax.....	\$327,817 40
Rejected taxes.....	784 33

\$328,601 73

#### City of Albany.

School fund.....	\$45,864 00
Alms house.....	20,000 00
District Attorney's office...	2,500 00
Water rents, 1875.....	11,519 55

\$79,383 55

#### City of Cohoes.

School funds.....	\$9,723 44
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#### County Towns.

School funds.....	\$27,058 87
Audited accounts.....	140,807 65
Asylum accounts.....	51,627 99
Court expenses.....	41,969 93
Salary account.....	35,763 97
Balance.....	44,646 26

Other items not here included which make up a total.....	\$1,081,008 16
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Estimate of disbursements for December....	50,000 00
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The Chairman presented the following resolution:

*Resolved*, That the Board of Supervisors of the County be and are hereby requested to cause to be raised, assessed and collected by tax upon the taxable property in the City of Albany, in the manner provided by law, the following sum: \$609,409.25.

Then follows a table setting forth the different uses for which the sum is to be expended.

The Mayor, Hon. A. Bleecker Banks, presented the following amendment, which was accepted :

I approve all the items in the foregoing, except the following, to which I object :

Homeopathic hospital .....	\$2,000
Albany hospital and dispensary .....	3,000
St. Peter's hospital and dispensary .....	3,000
	<u>\$8,000</u>

Leaving the sum to be raised by tax at \$601,409.25.

The sum of \$1,000 was apportioned to the Committee on Roads and Bridges for the different towns in the county.

At a meeting of the Board Friday, December 8, the Committee on Finance reported favorably on the adoption of the following :

*Resolved*, That the Finance Committee be and they are hereby authorized to borrow on the credit of the county the sum of \$100,000, to pay a portion of the bonds maturing during the year 1877, and to issue therefor county bonds with interest at six per cent., payable semi-annually, and the principal payable March 1, 1889 and 1890, \$50,000 each; and that each bond be signed by the Chairman of this Board and the County Treasurer; and that such bonds be issued in the sum of \$1,000 each; and that the bonds be sold at public auction on the 15th of February, 1877, the sale to be advertised for two weeks in the official county papers; and that the Finance Committee receive proposals for engraving and printing such bonds, and let the same to the lowest responsible bidder; and that the Finance Committee pay to the County Treasurer the proceeds of the sale of said bonds.

The Finance Committee were also directed to apply to the next Legislature for a law authorizing this County to issue bonds to the amount of \$100,000, to replace in part the amount coming due March 1, 1877.

The following is a STATEMENT of the REAL AND PERSONAL property of Albany County as assessed in 1876:

<i>City of Albany.</i>	
Total real estate.....	\$31,759,294 00
Total personal.....	3,857,850 00
Grand total.....	<u>\$35,617,144 00</u>
<i>City of Cohoes.</i>	
Total.....	\$3,273,913 00
Total personal.....	420,200 00
Grand total.....	<u>\$3,694,113 00</u>
<i>Towns.</i>	
Total real estate.....	\$12,006,691 00
Total personal.....	1,022,100 68
Grand total.....	<u>13,028,791 68</u>
The grand total of Albany, Cohoes and towns :	
Real estate.....	\$47,039,898 00
Personal.....	5,300,150 68
Grand total.....	<u>\$52,340,048 68</u>

REPORT ON EQUALIZED VALUATION of real estate per acre in the towns of the County are as follows:

Berne, \$17.45; Bethlehem, \$65.20; Coeymans, \$40; Guilderland, \$28.35; Knox, \$16; New Scotland, \$39.50; Rensselaerville, \$18.25; Westerlo, \$19.77; Watervliet, \$15.73½.

It was also adopted that the rates of taxation be fixed as follows:

City of Albany, for that portion added to the city in 1870, \$2.18; portion west of Allen street, \$2.38; remainder of the city, \$3.38.

On each \$100 of the assessed valuation for city and county purposes:

For the town of Berne, \$2.74; for the town of Bethlehem, \$1.53; for the town of Guilderland, \$1.60; for the town of Knox, \$1.66; for the town of Rensselaerville, \$1.96; for the town of Westerlo, \$2.04; for the town of Coeymans, \$1.50; for the town of Cohoes, \$1.36; for the town of Watervliet, \$2.08; for the town of New Scotland, \$1.36.

At a meeting of the Board, December 13, the balloting for papers to publish the audits at \$60 per paper. The following were the papers designated: *Argus*, *Cohoes Daily News*, *Evening Journal*, *Rensselaerville Press*, *Cohoes Democrat*, *Evening Times*, *Morning Express* and *Albany Herald*.

The death of Warren S. Low, a former member of the Board of Supervisors, was announced by Mr. Norton, who offered a preamble and resolutions, which were copied and transmitted to the family of the deceased.

The proceedings of the annual spring session of the Board of Supervisors of the City and County of Albany, held May 8, 1877.

Members of new Board:

#### ALBANY CITY.

First Ward, Jacob Steigleman; Second Ward, Thomas Powers; Third Ward, Edward H. Long; Fourth Ward, Edward A. Maher; Fifth Ward, Wm. J. Flynn; Sixth Ward, James A. Shattuck; Seventh Ward, James Young; Eighth Ward, Michael J. McDonald; Ninth Ward, Mathew J. Tiernan; Tenth Ward, John Hedrick; Eleventh Ward, Isaac N. Lansing; Twelfth Ward, William H. McCall; Thirteenth Ward, Charles H. Smith; Fourteenth Ward, Charles R. Knowles; Fifteenth Ward, Patrick H. Daly; Sixteenth Ward, Wm. H. Murray.

#### COHOES.

First Ward, Thomas Murphy; Second Ward, Frank C. Reavy; Third Ward, Frank Tessier; Fourth Ward, John P. Weber; Fifth Ward, George E. Simmons.

#### TOWNS.

Berne, Frederick W. Conger; Bethlehem, W. C. Hotelling; Coeymans, J. H. Powell; Guilderland, J. C. Grant; Knox, J. M. Chesebro; New Scotland, D. V. S. Raynesford; Rensselaerville, Albert T. Moore; Watervliet, Jesse C. Dayton; Westerlo, D. M. Wooster. President, J. C. Dayton; Clerk, Thomas H. Craven; County Physician, William Geoghegan, Jr.; Journal Clerk, Wm. E. Murphy; Sealer of Weights and Measures, Philip Madden; Doorkeeper, James Nolan.

The Board adjourned till May 8.

The Supervisors convened at 2.50 o'clock on Wednesday, May 8; the minutes of the former meeting read and approved, after which the President made the announcement of standing committees for the ensuing year.

Mr. Daly offered the following, which was adopted:

*Whereas*, At a meeting of the Board of Supervisors held December 8, 1874, a resolution was adopted authorizing the governors of the Albany Hospital to execute a mortgage on the hospital lot and buildings in this city to the extent of \$30,000;

*Whereas*, The said hospital is in an embarrassed condition, judgments are recorded against the hospital, and the property is advertised to be sold at sheriff's sale; therefore,

*Resolved*, That a committee of three members be appointed, together with the District Attorney, to look after the interest of the County.

Messrs. Flynn, Daly and Knowles were appointed such committee.

#### BALLOTING FOR THE ELECTION OF COUNTY PAPERS.

The *Argus* and *Times* were chosen as County papers.

Board adjourned.

**FALL SESSION.**—November 13, 1877, the Board convened. All members present. On motion of Mr. Maher the Board adjourned as a Board of Supervisors, and agreed to meet as a Board of Canvassers November 14.

#### TROUBLE WITH NEWSPAPER PUBLISHERS.

By the provisions of chapter 215 of the laws of 1870, it was made the duty of each supervisor in the State, at the annual meeting of the boards, to appoint printers for publishing the laws of their respective counties. The act provides that the act shall be made as follows :

Each member of the Board shall designate by ballot one newspaper printed in the county to publish the laws, and the paper having the highest number of votes, and the paper having the next highest number of votes, shall be the papers designated for printing the laws; provided such papers be of the opposite politics and fairly represent the two political parties into which the people of the county are divided; and if said papers so balloted for and chosen are not of opposite politics, and do not fairly represent the two principal political parties into which the people of the county are divided, such balloting and such choice shall be of no effect, and the balloting shall continue until two papers, if there be such in the county, are chosen that meet the requirements above set forth.

It was claimed that the Board and each member thereof entirely neglected the said law and its instructions, whereupon a mandamus was served upon the Chairman of the Board to compel obedience to the said law in the case of *The People ex rel. Jacob C. Culyer vs. The Board of Supervisors of Albany County, Peckham and Tremain, attorneys for relator.*

After the reading of the mandamus Mr. Flynn said it was quite clear that the Board must proceed to a designation of papers, and he presumed the matter would be satisfactorily disposed of at their next meeting.

At a meeting of the Board, held November 20, on motion of Mr. Shattuck, the Board proceeded to ballot for county papers, which ballot resulted in the election of the *Argus* and *Express* as county papers for the ensuing year, thus ending all further difficulty in the matter.

At the meeting of the Board December 4, the Chairman presented the

#### TREASURER'S REPORT OF RECEIPTS.

Balance on hand at last report.....	\$44,646 26
Total amount of receipts.....	\$1,071,547 25
Disbursements.....	\$1,071,547 25
Balance on hand.....	\$78,796 49

December 6, 1877, the Chairman presented the following communication from the citizens of Albany :

To Hon. Jesse C. Dayton, Chairman of the Board of Supervisors of Albany County.

DEAR SIR : The undersigned citizens and taxpayers of the City of Albany have been pleased to see that your Board has disallowed the large claims presented by various newspaper proprietors for the unauthorized publication of laws, proceedings, etc. The allowance of such illegal charges has been a great grievance and is becoming absolutely intolerable. We trust that your Board will firmly adhere to its decision in spite of any clamor and denunciation in which the disappointed parties may indulge. We trust, too, that it will in a like manner discountenance and disallow all improper and illegal charges from whatever source they may come. By so doing, although you may incur the ill-will of baffled raiders on the county treasury, you will receive the support and praise of all good citizens.

Dated December 5, 1877.

This communication was signed by twenty-one of the first citizens of Albany, and was ordered filed.

Also the following communication from Mr. Nathan D. Wendell, County Treasurer :

The following is a statement of the balance due the county from the several cities and towns at this date, November 30, 1877:

City of Albany.....	\$17,734 87
City of Cohoes.....	2,216 09
Town of Berne.....	2,566 77
Town of Bethlehem.....	1,058 57
Town of Coeymans.....	61 91
Town of Guiderland.....	213 02
Town of Knox.....	93 83
Town of New Scotland.....	31 93
Town of Rensselaerville.....	2,191 92
Town of Westerlo.....	489 33
Town of Watervliet.....	715 58
Total.....	\$27,469 72

The report of the Committee on Assessment Rolls presented the following report :

The assessed value of the real and personal property in the county as assessed in 1877 is as follows :

Total assessed value of real and personal property :	
City of Albany.....	\$36,164,284 00
City of Cohoes.....	3,641,494 00
Towns.....	12,773,362 40
Grand total.....	\$52,580,135 40

On the 7th of December Mr. Lansing offered the following, which was adopted :

*Whereas*, The term of office of Supervisors is fixed by law at one year; and

*Whereas*, The duties of said officers are onerous and of grave responsibility, and members of the Board are held to a strict accountability by their immediate constituency, and it is impossible for a Supervisor to learn the whole duties in one term; and

*Whereas*, The said Board of Supervisors should be a continuous body, and the members thereof should be elected for a term of three years, similar to the Senate of the United States, one-third expiring every year; therefore, be it

*Resolved*, That the Committee on Application to the Legislature petition that body on behalf of this Board, at the next session, for an act making the election of Supervisors of this county for a term of three years, and one-third thereof expiring and electing yearly.

On December 8 the President from the Committee on Equalization presented the following statement :

The equalized valuation of real and personal property in the City of Albany amounts to. \$34,357,310 90  
 City of Cohoes amounts to. 4,041,494 00  
 Towns. 14,181,330 50

Total. \$52,580,135 40

On December 27 Mr. McDonald called up a resolution naming the following papers as papers designated to publish county audits: *Argus*, *Times*, *Freie Blatter*, *Albany County Democrat*, *Morning Express*, *Rensselaer Press*, *Coeymans Herald*, *Albany Evening Post*, *Albany Herald*, *Cohoes Daily News*.

Mr. Smith moved to amend by making the amount to be paid for the same \$60 per paper.

Adopted.

Adjourned December 28, *sine die*.

ANNUAL SESSION, MAY 14, 1878.

Supervisors present.

#### ALBANY.

First Ward, Frederick U. Bresler; Second Ward, Thomas Powers; Third Ward, John Bowe; Fourth Ward, Timothy J. Sullivan; Sixth Ward, Ignatius Wiley; Seventh Ward, James Young; Eighth Ward, Michael J. McDonald; Ninth Ward, William Wright; Tenth Ward, Herbert R. Starkweather; Eleventh Ward, Isaac N. Lansing; Twelfth Ward, William H. McCall; Thirteenth Ward, Charles R. Smith; Fourteenth Ward, Charles K. Knowles; Fifteenth Ward, Patrick H. Daly; Sixteenth Ward, James Stackhouse.

#### COHOES CITY.

First Ward, William O'Brien; Second Ward, Truman W. Reynolds; Third Ward, Daniel Sullivan; Fourth Ward, Lucius Alexander; Fifth Ward, George E. Simmons.

#### TOWNS.

Berne, Frederick W. Conger; Bethlehem, William Flagler; Coeymans, John A. Hunt; Guiderland, John C. Grant; Knox, William J. Hawerley; New Scotland, D. V. S. Raynsford; Rensselaerville, Albert T. Moore; Watervliet, Jesse C. Dayton; Westerlo, Daniel W. Wooster.

Jesse C. Dayton was elected Chairman; Thomas C. Cravan was elected Clerk; Dr. J. R. Boulware was elected County Physician; Patrick H. McCaffery, Doorkeeper.

The following gentlemen were elected Coroner's Physicians, by ballot:

Dr. R. H. Starkweather, Dr. L. C. B. Graveline, Dr. J. W. Moore, Dr. Henry E. Mereness.

#### JOINT BOARD.

A joint meeting of the Supervisors of the County, together with the Mayor and Recorder of the City, was held at Supervisors' rooms May 15, pursuant to chapter 152, laws 1844.

Present, Hon. M. N. Nolan, Mayor; Hon. Wm. S. Paddock, Recorder,\* and all the Supervisors of the County and City. The Mayor acted as President and the Recorder as Secretary.

The matter of the large number of industrious, worthy mechanics out of employment, caused by the general depression of business, owing, as was alleged, to the interference of prison labor with legitimate trades, was presented to the meeting by Mr. Daly, who offered a resolution that a committee be appointed to inquire into the manner in

\*See Biography of Recorder Paddock, in another part of this work, under head of *Legal Biographies*.

which contracts were made for labor, and the compensation received for the same by the Superintendents of the Penitentiary; the quantity, quality and value of the manufactured articles, and the relative cost of the labor on such articles compared with the cost of labor of similar articles produced by our local manufacturers; the effect of prison labor as conducted in this institution on skilled labor in the County; the effect on our local manufacturers engaged in the production of such articles as produced by the convicts in said Penitentiary; and in what manner, if any, it affected the skilled labor employed by them; also to investigate as to the general and financial management of the affairs of the institution, and that the said committee have power to send for persons and papers.

After an animated debate Mr. Daly's motion prevailed, and the Mayor appointed the following committee to act with the Mayor and Recorder, as provided in the preamble and resolution: Messrs. Daly, Maher, Rowe, Bresler and Young.

The meeting then adjourned.

On Thursday, May 16, 1878, the Chairman announced the Standing Committees, 6.

FALL SESSION, NOVEMBER 12, 1878.

All the Supervisors present.

The session continued on, with one or two brief adjournments, until January 10, 1879, when it adjourned *sine die*.

According to the annual report of N. D. Wendell, County Treasurer, the money received by him during the year from all sources amounted to \$1,078,885.76. The amount disbursed by him was \$1,078,885.76.

Estimated disbursements for December, 1878:

Supervisors' salaries and accounts.....	\$20,000
Salaries County Officers.....	5,000
Asylum Accounts.....	5,000
Court expenses.....	10,000
Audited and miscellaneous.....	10,000
	<b>\$50,000</b>

#### REAL AND PERSONAL PROPERTY ASSESSED IN ALBANY COUNTY IN 1878.

City of Albany.....	\$36,342,890 00
Cohoes.....	3,620,426 00
Towns.....	12,717,524 88½

Grand totals..... \$52,680,840 58½

Equalized valuation of real and personal property in 1878 was:

Albany City.....	\$34,458,018
City of Cohoes.....	4,041,494
Towns.....	14,181,328

Grand totals..... \$52,680,840

#### RATE OF TAXATION.

Berne, \$2.24; Bethlehem, \$1.12; Coeymans, \$1.14; Guiderland, \$1.56; Knox, \$1.36; New Scotland, \$1.08; Rensselaerville, \$1.62; Westerlo, \$1.66; City of Cohoes, \$1.10.

STATIONERY.—The stationery furnished the Circuit Courts, Special Term, and the County Courts, for three years ending December 31, 1878, was

as follows: 1876, \$2,078.60; 1877, \$2,135.41; 1878, \$1,310.43.

1879.—The annual spring session of the Board of Supervisors met May 13, 1879; the following members present:

## ALBANY CITY.

First Ward, Henry Hoffman; Second Ward, Thomas Powers; Third Ward, John Bowe; Fourth Ward, E. A. Maher; Fifth Ward, T. J. Sullivan; Sixth Ward, Ignatius Wiley; Seventh Ward, James Young; Eighth Ward, Richard Rhatigan; Ninth Ward, Stephen P. Eastman; Tenth Ward, H. R. Starkweather; Eleventh Ward, W. H. Gaylor; Twelfth Ward, W. H. McCall; Thirteenth Ward, John B. Slingerland; Fourteenth Ward, Wheeler B. Melins; Fifteenth Ward, Michael E. Higgins; Sixteenth Ward, Wm. H. Murray.

## COHOES CITY.

First Ward, William O'Brien; Second Ward, John H. Pynes; Third Ward, Peter Grandjean; Fourth Ward, John Groves; Fifth Ward, George E. Simmons.

## TOWNS.

Berne, Frederick W. Conger; Bethlehem, Wm. Flagler; Coeymans, John A. Hunt; Guilderland, John C. Grant; Knox, I. W. Chesebro; New Scotland, D. V. S. Raynsford; Rensselaerville, Albert T. Moore; Watervliet, John Reiley; Westerlo, A. C. Requa.

President, Edward A. Maher; Clerk, Thomas H. Craven; Journal Clerk, John C. Morgan; County Physician, Dr. James L. Babcock; Doorkeeper, Michael Hayden; Coroner's Physicians, Dr. H. R. Starkweather, Dr. Wm. H. Murray, Dr. P. J. Keegan, Dr. G. H. Billings.

The members proceeded to ballot for County papers. The *Argus* and *Evening Journal* were declared elected as such.

Mr. Sullivan offered a resolution appointing Joseph Levi as Sealer of Weights and Measures for Albany County, which was adopted.

The President announced the Standing Committees.

At a meeting of the Board held May 15, Mr. Higgins offered a resolution recommending five members of the Board to form a committee to inquire into the manner and mode of making contracts in the Albany County Penitentiary, and that they have power to send for persons and papers, and to employ counsel to ascertain what powers this Board has in that institution.

*Report of ex-County Treasurer Wendell from date of his last report, November 30, 1878, to January 1, 1879:*

## RECEIPTS.

Balance on hand November 30, 1878.....	\$14,621 78
From collectors.....	3,771 00
City of Albany, tax 1877.....	37,775 94
City of Albany water rents of 1878.....	4,208 55
Redemption of land sold for taxes.....	7,912 85
Temporary loan.....	35,000 00
L. Hotaling, District Attorney, costs collected.....	203 71
Account back taxes for towns.....	41 95
	<u>\$103,535 78</u>

## DISBURSEMENTS.

Audited accounts.....	\$17,440 82
Miscellaneous.....	430 73

\$17,871 55

Brought forward.....	\$17,871 55
Salaries.....	4,980 75
Interest.....	3,208 33
Redemption of land sold for taxes.....	5,436 36
Publication of tax list.....	485 00
Marshall Infirmary.....	65 00
Jurors.....	\$914 30
Constables.....	2,619 50
J. Fencham.....	276 00
Stenographer.....	120 00
Court Crier.....	252 00
Justices.....	158 50
Court orders.....	198 20

Bonds paid.....	\$4,618 50
Coupons paid.....	5,600 00
Balance paid Henry Kelly, Treasurer-elect...	203 00
	<u>61,067 29</u>

\$103,535 78

**REDISTRIBUTING THE COUNTY.**—A special meeting held June 17, 1879, was held to re-apportion Assembly Districts, twenty-eight members being present.

The Board proceeded to redistribute the County according to law, and discharged their duty in a most satisfactory manner.

The proceedings were published at the time in the daily papers, and they may be found fully published in the proceedings of the Board of Supervisors for the year 1879, page 23.

**TREASURER'S REPORT.**—At a meeting of the Board December 2, the President presented detailed report, showing the receipts and disbursements of the office from January 1 to November 30, 1879, one month having been included in the report of Mr. Wendell, the late Treasurer:

Total receipts.....	\$843,298 50
Total amount paid out.....	\$844,286 30
Total amount disbursed.....	\$744,286 30
Total amount received.....	843,298 50
Leaving treasury overdrawn.....	\$987 80

The following balances are due the County at this date, viz.:

City of Albany.....	\$28,901 14
City of Cohoes.....	4,002 07
Town of Berne.....	3,002 14
Bethlehem.....	678 98
Guilderland.....	593 06
Knox.....	371 83
New Scotland.....	119 14
Rensselaerville.....	2,732 58
Town of Westerlo.....	651 01
Westervliet.....	2,137 64

Total..... \$43,189 59

The Town of Coeymans has a credit balance of \$113.74.

At the meeting of the Board held December 5, the report of the Committee on ASSESSMENT ROLLS was received, and the amount assessed on real and personal property in the

City of Albany for 1879 is.....	\$37,647,975 00
City of Cohoes for 1879.....	3,591,098 00
Towns in 1879.....	12,192,128 21

Making a grand total of..... \$53,431,201 21

The Committee on Equalized Valuation pre-sented the following report :

Equalized value of real and personal property in the

City of Albany for 1879.....	\$33,746,992 40
City of Cohoes for 1879.....	5,341,100 00

TOWNS.

Berne.....	\$699,074 30
Bethlehem.....	2,224,973 56
Coeymans.....	1,344,564 79
Guilderland.....	1,218,169 08
Knox.....	469,717 50
New Scotland.....	1,564,741 43
Rensselaerville.....	746,371 00
West Troy and Green Island.....	2,972,978 51
Watervliet.....	2,857,945 76
Westerlo.....	744,482 88

Grand total..... \$53,731,201 21

**DESTRUCTION OF THE CITY HALL BY FIRE.**—On the 10th day of February, 1880, the City Hall was destroyed by fire. \*

**SPECIAL MEETING OF THE BOARD.**—On February 16, 1880, the Board convened a special session in the Justices' Court-rooms, City Buildings; the meeting convened in pursuance of a written call signed by all the members of the Board for the purpose of taking such steps as the Board might deem necessary in view of the destruction of the City Hall by fire. All the members of the Board were present.

The proceedings were very interesting. Many valuable communications from the most eminent citizens were read, among which were the proceedings of a meeting of the Albany Bar held at the Justices' Court-rooms, City Buildings, on the 11th day of February, 1880, at which the following resolution was adopted:

*Resolved*, That the site of the City Hall, recently destroyed by fire, is the most appropriate and convenient for a building for the County Court and County officers, and the members of the Albany County Bar hereby unanimously urge the Board of Supervisors to take immediate steps toward the erection of said building or another upon the City Hall site for the use of the County Courts and officers.

HENRY SMITH,  
Chairman.

WM. P. RUDD,  
ALPHEUS T. BULKLEY, } Secretaries.

The Board had been strongly urged to purchase, or lease, the property in the City known as Martin Hall for the use of the County and City offices. The members of Albany Bar, deeming this building as entirely unfit for such purposes, by reason of its location and construction, united in a written protest against purchasing or leasing it, directed to the Board, urging upon the members not to consider further the proposition to do so.

An interesting letter from Hon. W. L. Learned to Edward A. Maher, Esq., Chairman of the Board, relative to the packages of half-burned and wet package of papers rescued from the City Hall while burning. Judge Learned recommended some immediate action to prevent them from being entirely ruined.

\* For a more full description of City Hall, old and new, see chapter on Public Buildings.

"If allowed to dry in their present condition," he said, "they will stick together and, perhaps, mildew so as to be utterly illegible. They should be taken to some safe and dry place, opened carefully, spread out separately to dry. As Clerk of the Court and as President of the Board you know the great value of these papers, and as such Chairman you can give some official direction to the necessary expense. I cannot think that there would be any hesitation in paying whatever this most important work may cost. I therefore beg leave to press on you, and through you the County Clerk, the necessity of immediate action."

The public spirit and forethought of Judge Learned in thus calling attention of the Board to the important matter contained in his letter was warmly commended by the public. As the Board acted upon his timely recommendation, papers and documents of immense value were saved to the County.

DESERVED RECOMMENDATION TO W. B. MELIUS.

E. A. MAHER, Esq.—Dear Sir: We think the Board of Supervisors should by resolution, or in some other expressive manner, while commending the firemen and others who so bravely worked to save the property of the city and county from the fire at the City Hall, not omit to speak specially of the great and extraordinary services of W. B. Melius, to whose exertions we are all indebted for the preservation of the most valuable records.

HAMILTON HARRIS,  
R. W. PECKHAM,  
T. J. VAN ALSTYNE,  
L. HOTALING,  
E. COUNTRYMAN.

This reference to the services of Mr. Melius by these distinguished citizens was eminently just, and shows how generously they appreciated his almost superhuman efforts. The members of the Board, acting under the recommendation of this letter, adopted a handsomely worded preamble and resolutions expressive of their high appreciation of the valuable services of Mr. Melius in thus saving the property of the city and county.

Mr. Melius has been connected with the County Clerk's office, officially, at least eighteen years, and in all, for twenty-five years. No man understands the records of the County as fully as he.

The fire in the City Hall broke out about one o'clock on the morning of the 10th of February. It was bitterly cold, and an icy wind was blowing. Mr. Melius was one of the first to reach the clerk's office, and began the work of rescuing the precious volumes containing the records of mortgages, deeds, judgments, decrees, etc.; notwithstanding the blinding and almost suffocating smoke that filled the room, he passed 700 volumes, weighing from 12 to 16 pounds each, through a narrow window in the searching room to a place of safety. A few moments after the last one was passed out the flames swept fiercely and destructively through the rooms. The loss of these records would be immense and irreparable to all owners of real estate situated in the County of Albany and to all persons interested in mortgages, decrees and judgments contained in these volumes.

Mr. Melius was quite overcome with his efforts and had to be assisted in reaching his home.

**INTEREST OF THE COUNTY IN THE CITY HALL BUILDING.**—Measures were taken at this meeting to

ascertain what interest the County of Albany had in the City Hall building then lately destroyed by fire, and Hon. R. W. Peckham was employed to assist a committee appointed for the purpose of ascertaining the said interest of the County.

**BOOKS OF RECORD OF THE COUNTY.**—The County Clerk was by resolution authorized to make true and perfect copies of all the books of record of the County mutilated, damaged and defaced in the then recent burning of the City Hall, and that he be paid the ordinary legal rates by the County Treasurer, and he was further authorized to rearrange, sort and label all papers disarranged and confused by the same fire, and that he be reasonably compensated therefor. Mr. Melius was, on motion, authorized to assist the County Clerk in the foregoing designated work.

Other important business touching the matters growing out of the destruction of the City Hall was transacted; also at the adjourned meeting held March 1, 1880, other important measures were taken in regard to the same, which will be found in the MS. record of proceedings of the Board, from page 9 to 20, inclusive.

1880.—ANNUAL SPRING SESSION held at their rooms, No. 38 Beaver street, May 11, 1880.

The following members of the Board were present:

First Ward, Henry Hoffman; Second Ward, Thomas Powers; Third Ward, John Bowe; Fourth Ward, E. A. Maher; Fifth Ward, T. J. Sullivan; Sixth Ward, Ignatius Wiley; Seventh Ward, James Young; Eighth Ward, Richard Rhatigan; Ninth Ward, Stephen P. Eastman; Tenth Ward, H. R. Starkweather; Eleventh Ward, W. H. Gaylor; Twelfth Ward, W. H. McCall; Thirteenth Ward, John B. Slingerland; Fourteenth Ward, Wheeler B. Melius; Fifteenth Ward, M. E. Higgins; Sixteenth Ward, W. H. Murray.

#### COHOES.

First Ward, Wm. O'Brien; Second Ward, John H. Pynes; Third Ward, Peter Grandjean; Fourth Ward, John Groves; Fifth Ward, George E. Simmons.

#### TOWNS.

Berne, Frederick W. Conger; Bethlehem, William Flagler; Coeymans, John A. Hunt; Guiderland, John C. Grant; Knox, J. W. Chesebro; New Scotland, D. V. S. Raynsford; Rensselaerville, Albert T. Moore; Watervliet, John Reiley; Westerlo, A. C. Requa.

At the election of a chairman of the Board for the ensuing year suggestions were made as to the legality of the election of the members of the Board for the term of two years, whereupon the following officers were elected for the ensuing year.

Edward A. Maher, President; John A. Mangan, Journal Clerk; Thomas H. Craven, Clerk; Dr. James L. Babcock, County Physician; Michael Hayden, Doorkeeper; Edgar Palmer, Sealer of Weights and Measures. The following gentlemen were elected coroners: Dr. W. H. Murray, Dr. A. R. Starkweather, Dr. P. J. Keegan, Dr. G. H. Billings.

#### NIGHT WATCHMAN FOR COUNTY CLERK'S OFFICE.

At a meeting of the Board, May 12, the President presented a communication signed by a large number of the leading citizens of Albany requesting that the services of a night watchman at the County Clerk's office should be continued, and they further recommended that the night watchman be made a permanent employee.

On motion of Mr. Bowe it was resolved to authorize the County Clerk to continue the services of night watchman until otherwise directed by the Board, his salary not to exceed \$75 per month.

The Board met according to adjournment on November 22, when Mr. Weaver presented the following report of the Committee on State Equalization:

Albany County assessed value of real estate  
for the year 1878..... \$47,702,870  
Equalization in the year 1879 at..... 64,295,172

Equalization over assessed value..... \$16,592,302

The Board of Equalization of Taxes, in pursuance of chapter 312, laws of 1859, fixed the aggregate valuation of property in Albany County at the sum of \$68,426,226, upon which a State tax of \$239,491.80 must be levied for the current fiscal year commencing October 1, 1880, being three and one-half mills on the dollar:

	MILLS.	CHAP.	LAWS.
For schools.....	1 1/2	515	1880
For general purposes.....	1 1/2	515	1880
For new Capitol.....	1 1/2	515	1880
Canals.....	3 1/2	248	1880
Total.....	6 1/2		

A report giving a statement of the receipts and disbursements of the County treasury was submitted on December 2, as follows:

Receipts and disbursements from December 1, 1879, to November 30, 1880:

RECEIPTS.	
Total amount received.....	\$996,299 99
Disbursements.....	996,299 99
Amount on hand.....	39,008 46

The amount of real and personal property assessed in Albany County in 1880:

City of Albany, real and personal.....	\$37,085,425 00
" Cohoes, " ".....	3,648,093 00
Towns, real and personal.....	12,330,250 26

Grand total..... \$53,063,768 26

On December 6 the President received the following statement from the County Treasurer, being the balance due the County at that date:

City of Albany.....	\$42,193 55
" Cohoes.....	1,620 45
Town of Berne.....	3,039 50
" Bethlehem.....	12 30
" Coeymans.....	42 86
" Guiderland.....	458 01
" Knox.....	197 94
" New Scotland.....	121 94
" Rensselaerville.....	2,849 74
" Westerlo.....	581 22
" Watervliet.....	4,664 18
Total.....	\$55,163 69

#### THE EQUALIZED VALUATION FOR 1880.

City of Albany, real and personal.....	\$32,883,306 03
" Cohoes " ".....	5,394,927 50
Making a total.....	\$38,278,233 53

On January 5, 1881, Mr. Murray, in a well-worded resolution, made a motion that a tax of \$100.08, assessed on the premises No. 117 Beaver street, in this city, and used by Dr. John Swinburne as a Dispensary, be canceled, and the Board of Assessors were directed to omit said property from its lists of taxable property and assessment roll, so long as the property is retained for dispensary or hospital purposes.

This was unanimously adopted, inasmuch as Dr. Swinburne is known to devote largely of his own time and money to the charitable care of the sick poor of the city, and employing assistants, and keeping and sustaining a private dispensary wholly from and upon his own personal means, for the purpose of relieving the sick poor and unfortunate of the city.

Adjourned January 24, 1881.

Proceedings of the Board of Supervisors at the annual meeting held May 10, 1881, in Martin Hall. Members present:

First Ward, Augustus Whitman; Second Ward, John Ryan; Third Ward, William Casey; Fourth Ward, Edward A. Maher; Fifth Ward, George L. Thomas; Sixth Ward, John Parr; Seventh Ward, James Young; Eighth Ward, Michael J. Hayden; Ninth Ward, James A. Lynom; Tenth Ward, Mathew C. Clark; Eleventh Ward, William B. Scott; Twelfth Ward, William Guinan; Thirteenth Ward, Joseph C. Griffin; Fourteenth Ward, Robert Geer; Fifteenth Ward, Michael E. Higgins; Sixteenth Ward, Wm. H. Murray; Seventeenth Ward, Frank Brennan.

#### COHOES.

First Ward, John Clark; Second Ward, John H. Pynes; Third Ward, C. M. Nadeau; Fourth Ward, John Groves; Fifth Ward, Charles Knott.

#### TOWNS.

Berne, Frederick W. Conger; Bethlehem, W. C. Hotelling; Coeymans, Estes H. Strevel; Guelderland, Aaron Fuller; Knox, Izrahiah Chesebro; New Scotland, Henry H. Meed; Rensselaerville, Hercules Sayre; Watervliet, John Reilly; Westerlo, Anson C. Requa.

President—Edward A. Maher.

Clerk—Thomas H. Craven.

Journal Clerk—John C. Mangan.

County Physician—Dr. U. B. La Meure.

Doorkeeper—James A. McCotter.

Coroners' Physicians—Doctors P. J. Keegan, H. R. Starkweather, R. D. Clark, G. H. Billings.

Scaler of Weights and Measures—Edgar Palmer.

Counsel for Overseer of Poor—Martin D. Conway.

Pages—John Ward, Joseph Foy.

COUNTY PAPERS.—*Argus* and *Express*.

#### COMMISSIONERS TO REPAIR OR REBUILD CITY HALL.

By the laws of 1880, Chapter 285, M. H. Nolan, Edward Maher, Barclay Jermain, Charles Van Bentheusan, Robt. C. Pruyn, C. P. Easton, Erastus Corning and Leonard G. Hun were appointed Commissioners to repair or rebuild the City Hall in this city. The names of the gentlemen composing this Committee was the highest guarantee that the important duties committed to them would be performed with the utmost ability, exactness and dispatch.

At this meeting of the Board, in pursuance of Section 8 of the said act of 1880, this Committee presented a succinct and ably drawn petition to the Board, requesting that body to direct the issue

of bonds of the County of Albany, to the amount of \$145,000, to be negotiated by the Chairman of the Board of Supervisors and the Treasurer of the county, at such times and in such amounts as may be required by the Commissioners; such bonds to be signed by the Chairman of the Board of Supervisors and the Treasurer, to bear semi-annual interest at the rate of four per cent per annum, and payable, one-third thereof in twenty years, and one-third thereof in twenty-two years, from the date of their respective issues.

The Commissioners presented a resolution to the Board, in conformity with the said petition, which directed that the said sum of \$145,000 be paid, as stated above, to wit: \$50,000 in the year 1901, \$50,000 in 1902, \$45,000 in 1903.

COMMITTEE ON CORONERS AND PHYSICIANS.—This Committee is very important, and for a time was very onerous, requiring a clerk; but by the law touching the salaries of physicians appointed to make *post mortem* examinations, and by a law of the Board letting by contract the burial of paupers under said contract, the Committee were relieved from much of their labor, so it became unnecessary to keep a clerk, and a resolution was presented for the discharge of the clerk, but it was tabled; whereupon it was moved by Mr. Higgins that a clerk be elected, and John P. Masterson was elected clerk to the Committee. Adopted.

SPECIAL MEETING, August 12, 1881.—Called under a written request and signed by all the members of the Board, to enable the Finance Committee and County Treasurer to borrow money to meet deficiencies and transact such other business as might be necessary. The sum required was not to exceed \$120,000, and was for the purpose of paying State tax, which was to fall due on the 1st of September then next. This amount was directed to be raised in conformity to the foregoing.

STATE BOARD OF HEALTH.—At a meeting, November 15, an important communication was received from the State Board of Health in regard to the amendments of laws designed to secure the complete registration of births, marriages and deaths, and especially to give the greatest possible accuracy to the record of the causes of death and burial of the dead.

THE BOARD OF EQUALIZATION OF TAXES fixed the aggregate valuation of property in Albany County at \$67,372,736, upon which amount a State tax of \$151,588.66 was to be levied for the current fiscal year commencing October 1, 1881, being 2¼ mills on the dollar, for the following purposes:

For Schools	.....	2¼	mills, per Chap. 453, Laws 1881.
" General purposes	.....	100	" " " 453, " 1881.
" Canals	.....	10	" " " 595, " 1881.
Total	.....	2½	mills.

The non-resident taxes credited to the County for 1880 were \$202.92.

At a meeting of the Board November 21, 1881, a communication was read in regard to the State

*Board of Assessors and the State Board of Equalization.*

The assessed valuation of real estate in Albany County in 1880. ....	\$49,151,808
Personal estate. ....	3,911,960
Total. ....	\$58,063,768

To the assessed valuation the State Board have added \$14,308,968; this made the equalized valuation of real estate \$63,460,776; to this add the personal, \$3,911,960, which makes the sum \$67,372,736, upon which we pay a State tax this year.

In the year 1881 there was added to our assessed valuation. ....	\$14,605,025
In the year 1880. ....	14,308,968

An apparent reduction of. ....	\$386,057
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The increase in the assessed valuation of the whole State for 1880 was \$24,935,164, or .0107 per cent.

The increased assessed valuation of Albany County for 1880 was but \$18,000, or .0004 per cent. It should have been quite as much as that of the State.

An article contained in the *Evening Journal*, signed "H.," containing alleged misstatements touching the acts of the Board relative to the printing of 250 copies of its rules, was made the subject of a question of privilege in order that the said statement should be promptly refuted. It was denounced and proven to have done injustice to the Board.

A communication was also received from Dr. John Swinburne asking to be relieved from taxes assessed on his private hospital, which was granted.

**ARSENAL.**—The estimates of the expense of fitting up for rooms in the arsenal for the benefit of the military of the city.

The contract was awarded by the proper Committee, so far as building lockers, etc., was concerned, at \$2,439.

**ELECTION NOTICE.**—*The Argus* and *Morning Express* were designated as papers to publish election notices.

**THE TREASURER'S ACCOUNT,** for the year ending November, 1881, was presented December 2, 1881, showing the receipts of his office for that time to be. ....

Disbursements. ....	\$1,032,444 88
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**STATEMENT** of real and personal property assessed in the County of Albany, 1881:

Real. ....	\$61,422,635
Personal. ....	7,507,755
Total. ....	\$68,930,390

On December 8, on motion of Mr. Conger, a resolution was adopted authorizing the Finance Committee to borrow, on the credit of the County, the sum of \$50,000 to pay bonds in like amount maturing March 1, 1882, and to issue therefor county bonds bearing interest, not to exceed 4 per cent. per annum, payable semi-annually, the prin-

cipal payable March 1, 1904. The said bonds were to be registered or coupon, and they were to be sold at public auction on February 15, 1882, after being advertised two weeks.

**EQUALIZED VALUATION of Albany Co., 1881:**

ALBANY CITY.	
Real estate. ....	\$48,886,198 00
Personal. ....	7,507,755 00
Total. ....	\$56,393,953 00
Cohoes City real estate. ....	\$9,455,072 00
" " personal estate. ....	336,644 00
Total. ....	9,791,716 06
Albany City, Cohoes and towns, real estate. ....	\$81,453,069 25
" " personal. ....	8,889,220 18
Grand totals. ....	\$90,342,289 43

**STATE AND COUNTY TAX.**—The rate of State and County tax was fixed by resolution at fifty-four cents on each \$100 of the equalized valuation of this county.

**SPECIAL MEETING.**—Monday, December 12, 1881, a special meeting convened pursuant to a call previously made for the purpose of fixing the rate of the city of Cohoes, and of the town of Watervliet. The rate of taxation for the city of Cohoes for 1881 was fixed at \$1.25 upon each \$100. The rate for Watervliet for 1881 was fixed as follows:

On each \$100 of the assessed valuation:	
Watervliet, First District. ....	\$75
West Troy and Green Island. ....	68

**DISTRICT ATTORNEY'S REPORT.**—D. Cady Herrick presented his report of the costs received by him, and also a statement of the fines imposed since January 1, 1881, which by recapitulation shows as follows:

Costs and judgments. ....	\$1,526 26
Fines in Oyer and Terminer. ....	275 00
" " County Sessions. ....	409 00
" " Special Sessions. ....	954 00
	\$3,155 26

**COHOES JAIL.**—By resolution the County Treasurer was authorized to pay the city of Cohoes \$500 for rent of jail pursuant to Sec. 15, Chap. 60, Laws of 1881.

Previous to the adjournment of the Board, on December 20, 1881, Supervisor Geer, in a pleasing and finely worded speech, on behalf of the members of the Board, presented President Maher an elegant watchchain and charm. Mr. Maher received it with a very feeling and appropriate address. Supervisor Murray then arose, and, on behalf of the members of the Board, presented Mr. Thomas H. Craven, Clerk of the Board, with a valuable silver service.

In presenting it, Mr. Murray made some timely and exceedingly well received remarks touching the high esteem in which Mr. Craven was held by the Board. The latter thanked the Board in a very

happy manner. The whole proceeding gave great satisfaction to the Board and public.

The Board of Supervisors of the city and county met at their Annual Session at their rooms in Music Hall, May 9, 1882.

The following members were present:

## CITY OF ALBANY.

First Ward, Augustus Whiteman; Second Ward, Thomas Powers; Third Ward, Wm. Casey; Fourth Ward, Edward A. Maher; Fifth Ward, John Cook; Sixth Ward, John D. Capron; Seventh Ward, Edward Roark; Eighth Ward, Michael J. Hayden; Ninth Ward, Daniel J. Murphy; Tenth Ward, Mathew C. Clark; Eleventh Ward, Alfred Booth; Twelfth Ward, William H. McCall; Thirteenth Ward, Joseph C. Griffin; Fourteenth Ward, Robert Geer; Fifteenth Ward, James Skillicorn; Sixteenth Ward, Alonzo B. Voorhees; Seventeenth Ward, Thomas J. Reilly.

## COHOES.

First Ward, John Clark; Second Ward, Frank Rockwell; Third Ward, Charles M. Nadeau; Fourth Ward, John Groves; Fifth Ward, Neil Morris.

## TOWNS.

Berne, Thomas J. Wood; Bethlehem, W. C. Hotaling; Coeymans, Estes H. Strevel; Guelderland, Aaron Fuller; Knox, Wm. J. Haverly; New Scotland, Hiram Becker; Rensselaerville, Hercules Sayre; Watervliet, Joseph Anderson; Westerlo, Anson C. Requa.

President, Edward A. Mayer.

Clerk, Thomas H. Craven.

Journal Clerk, John A. Lawless.

County Physician, Dr. R. D. Clark.

Doorkeeper, Bernard Ross.

Coroners' Physicians, Drs. H. R. Starkweather, P. H. Keegan, M. J. Lewi and G. H. Billings.

County Sealer of Weights and Measures, John Powers.

Counsel for Overseers of the Poor, Mr. D. Conway.

County Papers, *Daily Argus* and *Daily Express*.

After considerable business relative to penitentiary matters, of which we shall give an account in another place, the Board adjourned.

At a special meeting held May 24 the President announced the Standing Committees for the ensuing year.

At a meeting of the Board held July 27 it was resolved that the office of the Coroners of Albany County should be located in the rooms of the Supervisors, and that John P. Masterson be and he was appointed a clerk to said Coroners, his duties to assist as clerk to each of said Coroners in their official duties, and to keep a record of and file each inquisition; also to act as Clerk to the Committee on Coroners and Physicians of the Board, the salary not to exceed \$100 per month, the County Treasurer to pay the same.

At a meeting held November 14 the Clerk presented the following statement:

The Board of Equalization of Taxes have fixed the aggregate valuation of property in the County of Albany at the sum of \$74,051,676, upon which amount a State tax of \$181,426.61 must be levied for the current fiscal year beginning October 1, 1882, as provided in chapter 312, laws of 1859, and amendments thereto, by chap. 351, laws of 1814, being  $2\frac{1}{10}$  mills on the dollar, for the following purposes:

For schools.....	$1\frac{1}{10}$ mills, chap. 296, laws 1882
For general purposes...	$1\frac{1}{10}$ " " 296 " 1882
For canals.....	$1\frac{1}{10}$ " " 208 " 1882

Total.....  $2\frac{1}{10}$  mills.

Non-resident taxes credited to Albany County for 1881 amounted to \$19.74.

On November 21 Mr. Weaver, from the Committee on State Equalization, presented the following statement:

Equalized valuation of real estate of Albany County for the year 1881.....	\$63,460,776
Amount the County should have increased to retain its relative proportion with other counties in the State....	1,906,772

The amount it would then have been equalized on real estate for 1882.....	\$65,367,548
The amount it is equalized for 1882.....	65,162,456

Amount of reduction.....	\$205,092
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Amount of Albany County's increase.....	\$1,906,772
Amount added by State Board of Equalization.....	1,701,680

Difference in favor of Albany County...	\$205,092
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The amount of State tax for this year is \$29,837.94 greater than last year, and is accounted for as follows:

Increase of personal estate.....	\$4,977,260
Increase of real estate.....	1,701,680

\$6,678,940

This amount, multiplied by last year's rate, $2\frac{1}{10}$ mills on the dollar, produces.....	\$15,027.61
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Total amount of equalized real and personal (\$74,051,676) for 1882, multiplied by one-fifth of a mill, the increase over 1881.....	14,810.33
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\$29,837.93

On November 28 the Clerk presented the Annual Report of the Coroners.

The report of Richard Scully shows that from October 16, 1881, to November 10, inclusive, there were 33 *post mortem* examinations with juries conducted before him. Peter Lasch reports 44 inquests held by him during the years of 1881-2 with jurors.

The first annual report of James McCann states that he held 30 inquests during the year 1882, from January 22 to November 24.

Richard Johnson reported 19 inquests held by him since November 24, 1881, to September 26, 1882.

On December 4 Mr. Sayre, from the Committee on Assessment Rolls, presented the following:

STATEMENT OF THE REAL AND PERSONAL PROPERTY in Albany County as assessed in 1882.

Total real in City of Albany.....	\$61,117,810 00
Total personal " ".....	6,432,332 00
	\$67,550,342 00
Real in City of Cohoes.....	\$3,410,079 00
Personal " ".....	361,500 00
	3,771,579 00
Towns, real estate.....	\$17,076,329 73
" personal.....	1,053,334 93
	18,129,664 66

Grand total..... \$89,451,585 66

It was also resolved to raise by tax on property in the City of Albany the sum of \$720,789.37 for the several contingent expenses of the city for hospitals, nurseries and temporary out-door relief of the poor, and for rebuilding Beaver Creek arch, at Philip street.

On December 8 Mr. Requa, from the Committee on Equalization, presented the following report, which, on the next meeting, December 9, was adopted:

## EQUALIZED VALUATION OF 1882.

City of Albany, real.....	\$48,977,620 00	
"    "    personal.....	6,432,532 00	\$55,410,152 00
City of Cohoes, real.....	\$9,472,697 00	
"    "    personal.....	361,500 00	9,834,197 00
Towns, real.....	\$1,604,218 73	
"    "    personal.....	7,847,366 93	

Grand total, including towns.....\$89,451,585 66

On December 14 a special session of the Board met at two P. M., pursuant to a call of the President.

The object of this call was "for the purpose of taking suitable action regarding the death of the wife of Supervisor Geer, of the Fourteenth Ward."

A motion was made to appoint a committee of three to draft resolutions to be reported at evening session. Messrs. Voorhees, Capron and McCall were named by the President as such committee.

On motion the Board adjourned.

At the evening session Mr. Voorhees reported the following:

*Resolved*, That the members of this Board most sincerely sympathize with their associate, Robert Geer, in the irreparable loss he has sustained in the death of his wife, and extend to him the assurance of their heartfelt sorrow.

At the meeting of the Board, held December 22, that body tendered their most cordial thanks to their efficient President, Edward A. Maher, for the impartial manner in which he had presided over their deliberations; and they collectively and individually conveyed to him in the resolution the official and personal assurance of esteem and regard.

It was further resolved that the members of the Board "not only recognize but fully appreciate the invaluable services of the attentive, courteous and competent Clerk, Thomas H. Craven, and that we not only deem it a pleasure, but feel it to be a duty, to thus publicly and officially recognize our obligations to him for the faithful and conscientious performance of his important duties."

After a very pleasant but brief address from the President the Board adjourned *sine die*.

1883.—Proceedings of the Board of Supervisors of Albany County at their annual meeting, May 8, 1883. Members present:

## ALBANY CITY.

First Ward, George J. Goetz; Second Ward, Thomas Powers; Third Ward, Wm. Casey; Fourth Ward, Patrick Cuddy; Fifth Ward, Peter J. McGowan; Sixth Ward, Andrew Vanderzee; Seventh Ward, Edward Roark; Eighth Ward, Michael J. Hayden; Ninth Ward, Daniel J. Murphy; Tenth Ward, Frederick Stackman; Eleventh Ward, Alfred Booth; Twelfth Ward, Wm. H. McCall; Thirteenth Ward, Joseph C. Griffin; Fourteenth Ward, Robert Geer; Fifteenth Ward, James Skillcorn; Sixteenth Ward, Edwin Ellis; Seventeenth Ward, Thomas Reilly.

## CITY OF COHOES.

First Ward, Marcus Kennedy; Second Ward, Truman W. Reynolds; Third Ward, Charles M. Nadeau; Fourth Ward, Jared H. Blair; Fifth Ward, Neil Morris.

## TOWNS.

Berne, Thomas J. Wood; Bethlehem, John L. Winne; Coeymans, Lansing Shear; Guiderland, Aaron Fuller; Knox, Charles G. Frink; New Scotland, Hiram Becker;

Rensselaerville, Hercules Sayre; Watervliet, Nicholas Kane; Westerlo, Anson C. Requa.

President, Anson C. Requa; Clerk, Thomas H. Craven; Journal Clerk, John J. Dunphy; Doorkeeper, John J. McCaffrey; County Physician, U. B. La Moure; Counsel to Overseer of Poor, George Parr; County Scaler of Weights and Measures, Jacob S. Scrafford.

At a meeting of the Board, held May 24, the President announced the Standing Committees.

At the next meeting, November 14, the balloting for coroners' physicians resulted as follows:

Dr. J. H. Moore, Dr. F. L. Classen, Dr. D. P. Shevelin and Dr. G. H. Billings.

The *Argus* and *Journal* were declared as County papers.

Charles L. Pease was appointed Committee Clerk to this Board.

It was resolved that the regular sessions of the Board should be held on Monday, Tuesday, Wednesday and Thursday at 8.15 P. M.

The Clerk presented the following statement:

*The Board of Equalization of Taxes*, in pursuance of chapter 312 of the laws of 1859, fixed the aggregate valuation of property in Albany County at the sum of \$76,442,516, upon which amount a State tax of \$248,438.18 must be levied for the current year, commencing October 1, 1883, as provided in said act and amendments thereto, by chapter 351, laws of 1874, being 3<sup>10</sup>/<sub>100</sub> mills on the dollar, for the following purposes:

Schools.....	1 <sup>11</sup> / <sub>100</sub> mills, per chapter 376, laws 1883.
General purposes.....	1 <sup>12</sup> / <sub>100</sub> mills, per chapter 376, laws 1883.
For Canals.....	1 <sup>10</sup> / <sub>100</sub> mills, per chapters 373, 471, 495, laws 1883.
Total.....	3 <sup>23</sup> / <sub>100</sub> mills.

The non-resident taxes credited to the County for 1882 amount to \$273.50.

**CORONERS' REPORTS.**—The Second Annual report of James J. McCann gives the number of inquests held by him during the years 1882-3 to be 44. The Third Annual report of Richard Scully for the same years shows 16 cases.

Coroner Thomas Nolan reported 12 inquests held by him during the year 1883, from January 8 to October 30.

The Third Annual report of Coroner Peter Lasch shows that 40 inquests were held by him during the years 1882-3, from December 2, 1882, to November 16, 1883.

At the meeting of the Board held November 12 the President presented the

**REPORT OF THE COMMITTEE ON STATE EQUALIZATION.**—There had been two tables presented by the State Assessors to the State Board of Equalization for adoption, but neither were accepted. On October 10 a table was presented which was further amended, and the Committee adopted; it was as follows:

Assessed valuation of real estate.....	\$81,604,218
Deduction made from real estate.....	13,009,069
Equalized real estate.....	\$68,595,149
Personal estate.....	7,847,367
Total equalized real and personal, as corrected.....	\$76,442,516

Making a reduction, as between the tables of October 4 and 10, of.....\$912,879

The Clerk presented the following :

Bonds of the City of Albany to the amount of \$100,000, bearing interest at the rate of seven per cent., were issued for the construction of the High School building, the principal of which is payable in ten annual installments of \$10,000 each. There will be required for the said annual payment \$10,000, and for interest on bonds \$1,050, as follows: Six months' interest on \$20,000, \$700, and six months' interest on \$10,000, \$350.

THE COMMITTEE ON ASSESSMENT ROLLS presented the following report :

*Statement of the Real and Personal Property of Albany County as Assessed in 1883.*

City of Albany, real estate.....	\$60,750,120 00
"    "    personal.....	6,480,735 00
Total.....	\$67,230,855 00
City of Cohoes, real.....	\$3,403,827 00
"    "    personal.....	399,990 00
Total.....	\$3,803,817 00
Towns, real estate.....	\$20,338,235 18
"    personal.....	1,107,896 00
Total.....	\$21,446,131 18
Grand total.....	\$92,480,803 18

Mr. Fuller, from the Committee on Equalization of Taxes, presented the following report :

CORRECTED EQUALIZATION TABLE FOR THE YEAR 1883.

CITY OR TOWN.	Acres.	Real.	Personal.	Total.
City of Albany.....		\$50,816,548 00	\$6,480,735 00	\$57,297,283 00
City of Cohoes.....		9,851,780 00	399,990 00	10,251,770 00
Town of Berne.....	38,942	1,101,634 00	28,305 00	1,129,939 00
Town of Bethlehem.....	31,583	3,745,428 00	58,116 00	3,803,544 00
Town of Coeymans.....	29,046	2,200,132 00	82,750 00	2,282,882 00
Town of Guiderland.....	36,829	1,995,763 00	64,100 00	2,059,863 00
Town of Knox.....	25,595	714,650 00	37,225 00	751,875 00
Town of New Scotland.....	35,679	2,534,636 00	101,300 00	2,635,936 00
Town of Rensselaerville.....	36,578	1,170,130 00	144,100 00	1,314,230 00
Town of Westerlo.....	35,568	1,210,024 00	63,700 00	1,273,724 00
Town of Watervliet, 1st district.....	33,560	4,560,133 97	386,000 00	4,946,133 97
Town of Watervliet, Green Island and West Troy.....		4,531,314 21	142,800 00	4,674,114 21
Total.....	304,190	\$84,492,182 18	\$8,988,621 00	\$92,480,803 18

At a meeting of the Board December 7 the following was adopted :

*Resolved*, That the rate of taxation be fixed as follows for the following towns and the City of Cohoes for the year 1883 on each \$100 of the assessed valuation :

Berne, \$1.04; Bethlehem, \$1.36; Coeymans, \$1.42; Guiderland, \$1.34; Knox, \$1.44; New Scotland, 82 cents; Rensselaerville, 86 cents; Westerlo, 66 cents; Watervliet, 1st district, 86 cents; Watervliet, 2d district, West Troy and Green Island, 78 cents; City of Cohoes, \$1.76.

COUNTY TREASURER'S REPORT.—Robert Gallup, County Treasurer for the County of Albany, states in his report that the amount on hand at last report was \$1,050.53. This amount, together with all receipts of the office for the year ending November 30, 1883, amounts to \$928,229.81. The disbursements for the same time amount to \$928,229.81, including a balance on hand of \$19,591.61.

The Board adjourned January 11, 1884, after tendering sincere and heartfelt thanks to President Anson C. Requa, and the Clerk, Thomas H. Craven, who replied in very eloquent addresses.

1884.—ANNUAL SPRING SESSION held at their rooms in the New City Hall, in the City of Albany, May 13, 1884. Members present:

#### ALBANY CITY.

First Ward, George J. Goetz; Second Ward, Michael J. Nolan; Third Ward, William Casey; Fourth Ward, Patrick Cuddy; Fifth Ward, Peter J. McGowan; Sixth Ward, Thomas C. Jeffers; Seventh Ward, Marshall Tebbutt; Eighth Ward, Michael J. Hayden; Ninth Ward, Wm. F. Reedy; Tenth Ward, Frederick Stackman; Eleventh Ward, Meredith Burke; Twelfth Ward, James J. Wise; Thirteenth Ward, Joseph C. Griffin; Fourteenth Ward, Robert Geer; Fifteenth Ward, John T. Brady; Sixteenth Ward, James Stackhouse; Seventeenth Ward, George Holler.

#### COHOES.

First Ward, Marcus Kennedy; Second Ward, Truman W. Reynolds; Third Ward, Charles M. Nadeau; Fourth Ward, John P. Weber; Fifth Ward, George W. Smith.

#### TOWNS.

Berne, Thomas J. Wood; Bethlehem, John L. Winne; Coeymans, Richard S. Blodgett; Guiderland, Aaron Fuller; Knox, Charles G. Frink; New Scotland, Charles Wood; Rensselaerville, Jacob B. Norwood; Watervliet, Nicholas T. Kane; Westerlo, Anson C. Requa.

Chairman, Anson C. Requa; Clerk, Thomas H. Craven; Journal Clerk, Elbert E. Richmond; Doorkeeper, Joseph Johnson; County Physician, Dr. U. B. La Moure; Counsel to Overseer of Poor, Thomas F. Connor; Sealer of Weights and Measures, Jacob S. Scrafford.

A recess was taken till the afternoon, when a joint meeting was called.

The committee appointed introduced Hon. A. Bleecker Banks, Mayor, and Anthony Gould, Recorder.

The Mayor acted as Chairman and the Recorder as Secretary of the meeting, and Mr. T. H. Craven Clerk.

Mr. Greer offered a resolution in which the Superintendent of the Penitentiary should be requested to furnish the Board with copies of all contracts made by him for the labor of prisoners; also for copies of contracts made with the United States and with counties in regard to the terms on which

their prisoners are maintained in that institution, etc.

It was also resolved that the Superintendents and Inspectors of the Penitentiary be and are prohibited from renewing existing contracts, or making any new ones, for the maintenance of prisoners of other counties or of the United States.

**WORKING MEN'S ASSEMBLY.**—This organization, one of the most important in the City of Albany, often memorialized the Board in regard to matters touching the interests of the laboring classes, always respectfully. They were always given a respectful hearing.

**SPECIAL MEETING.**—On August 18 the Board met to take action relative to the death of William Casey, Supervisor of the Third Ward, City of Albany. A committee of five, consisting of Messrs. Brady, Nolan, Goetz, Cuddy and Stackman, was appointed to draft suitable resolutions.

Mr. Brady addressed the Board in touching and appropriate language, and at the close of his address the Committee presented their resolutions, which were adopted. The address and resolutions are in every respect worthy the character of Mr. Casey, while they reflect great credit upon their authors and are embellishments to the records of the Board of Supervisors of the County.

The Board thereupon adjourned.

**REGULAR SESSION** of the Board of Supervisors met at the City Hall, November 12, 1884, for the fall session. All members present.

The election of Coroners' Physicians then took place. The following were elected:

Drs. S. C. Healey, Frederick L. Classen, J. H. Billings, Wm. Hagedorn.

**COUNTY PAPERS.**—The ballot for the County papers for the ensuing year resulted in the election of the *Argus* and *Express*.

On motion the salary of the Coroners' Physicians was fixed at \$600 per annum, their term of office to begin November 20, 1884.

**ANNUAL REPORT OF THE CORONERS.**—The annual account of Michael H. Murray shows 29 inquests held by him during 1884; James C. McCann shows 28 inquests; Richard Scully, 17; Thomas Nolan, 9; Peter Lasch, 2; total, 85.

*An Unconstitutional Law relative to Grand Jurors.*—By chapter 532 of the laws of 1881, an important innovation was made relative to the selection of Grand Jurors in Albany and one or two other cities in the State. It provided:

That the duties assigned the Supervisor, Town Clerk or Assessors by the Revised Statutes in regard to Grand Jurors should be performed by the Recorder of the City of Albany. It provided that in Albany County Grand Jurors should, after the passage of that act, be drawn from the box containing the names of Petit Jurors selected for said County, in the same manner as Petit Jurors, and that there, after no separate list of Grand Jurors should be prepared for said County. Under this law a Grand Jury was drawn which convened for the May Term of the Albany Oyer and Terminer for 1882, at which Term, and by said Grand Jury, one James Dempsey, and two others, were indicted for —

On that trial they were convicted, and the verdict was appealed from to the General Term of the Supreme Court, where the conviction was affirmed. From the judgment of the Supreme Court an appeal was taken to the Court of Appeals, where the judgment of conviction was set aside on several points raised by the counsel for the prisoners, but chiefly on the ground that the Act of 1881, to which we referred, was unconstitutional, in that the bill resulting in the act was a private or local bill and against the provisions of Article 3, Sec. 18, of the Constitution as amended November 3, 1874, which provides that the Legislature shall not pass a private or local bill in any of the following cases:

*Selecting, Drawing, Summoning or Impaneling Grand or Petit Jurors.*—As this provision is qualified by Section 25 of the same article, which provides:

"Sections 17 and 18 of this Article shall not apply to any bill or the amendments to any bill which shall be reported to the Legislature by Commissioners who have been appointed pursuant to law to revise the Statutes; that the Statutes show that there had been no such officers as 'Commissioners who had been appointed pursuant to law to revise the Statutes' subsequent to May 1, 1878, and, therefore, said chapter 532 could not have been reported as provided for in said section 25;"

The counsel for the defendants, Mr. E. J. Meegan, brought all the Acts of 1870, 1873, 1874, 1876 and 1877 in regard to the amendment of the Code and of the various constitutional amendments touching the Political Code, the Penal Code, the Code of Civil Procedure and the Civil Code into consideration against the constitutionality of the Act of 1881, to which we have alluded, and, as we have said, the Act in regard to the drawing of Grand Jurors in the County of Albany was declared unconstitutional. It therefore became the duty of the Supervisors of Albany County for 1884 to select Grand Jurors for the then ensuing year, under the general law, which requires that the Board shall prepare a list of 300 men between the ages of twenty-one and sixty, owners of real estate either in their own names or in that of their wives, or assessed on personal property for at least the sum of \$250, and inhabitants of the town or ward in which they were selected.

The importance of the foregoing to this work, and to the general reader, will be appreciated. We have presented the subject at some length, because it is not only one of the most interesting but important matters found in the history of Supervisors of Albany County.

**CITIZENS' ASSOCIATION OF ALBANY.**—We have occasionally alluded to this highly important organization. It is proper to add that it has been engaged for some years, with the assistance of counsel, in the examination of County charges, and the legal grounds and authority for the same.

The citizens comprising this association have always been of the highest standing. A careful examination of their work in regard to bills, especially their work for 1884, convinces us, as it would all who examine it, of the great value and usefulness to the County of this association, and the conscientious manner in which they discharged their duty. The Executive Committee of it for 1884 were Marcus T. Hun, C. P. Williams and Mathew Hale.

**INCREASED VALUATION OF REAL ESTATE.**—The Committee appointed to appear before the State Board of Equalization in behalf of the interests of Albany County reported that the total increased assessed valuation of real estate of the State for the year 1883 was \$111,954,771, of which Albany's portion would be \$3,000,246. This, assuming the equalization of 1883 correct, would have made the equalization of 1884 as follows:

Equalization of real estate for 1883.....\$68,595,149  
To which add above increase..... 3,000,246

Equalization made by State Board, 1884. .... \$71,595,395  
71,273,649

Reduction on equalization for 1884..... \$321,749

Making the following statement of Albany County for the year 1884 :

Equalized valuation of real estate ..... \$71,273,649  
To which add personal property..... 7,558,621

\$78,832,270

While the foregoing statement is, to some extent, gratifying, yet it does not measure out to Albany County that degree of justice to which it is entitled.

ASSESSMENT OF PROPERTY, 1884.—At a meeting of the Board, December 2, Mr. Brady, Chairman of the Committee of Assessments, presented a statement of the real and personal property in the County of Albany, as assessed in 1884 :

City of Albany, real..... \$60,961,465 00  
" " personal..... 6,339,417 00

Total..... \$67,300,882 00

City of Cohoes, real..... \$3,580,205 00  
" " personal..... 394,120 00

Total..... \$3,974,325 00

Towns, real..... \$21,900,250 29  
" personal..... 1,558,553 94

Total..... \$23,467,804 23

Grand total..... \$94,743,011 23

EQUALIZED VALUATION.—On December 4, Mr. Fuller, from the Committee on Equalization of Taxes, presented a statement exhibiting the equalized valuation of the County of Albany for the year 1884:

City of Albany, real estate..... \$51,993,990  
" " personal..... 6,339,417

Total..... \$58,333,407

Cohoes, real estate... \$10,080,177  
" personal..... 394,120

Total..... \$10,474,297

This amount, with the real and personal property of the towns, which comprised the value of 301,328½ acres, amounted to:

Total real estate..... \$86,450,920 29  
" personal..... 8,292,090 94

Grand total..... \$94,743,011 23

Albert Gallup, County Treasurer, presented the following communication to the President of the Board:

"The following balances are due the County of Albany, Dec. 4, 1884, as shown by the books in the Treasurer's office :"

City of Albany.....	\$82,593 12
" Cohoes.....	5,102 65
Town of Berne.....	4,237 13
" Bethlehem.....	389 53
" Coeymans.....	1,055 04
" Guilderland.....	288 47
" Knox.....	35 90
" New Scotland.....	146 85
" Rensselaerville.....	3,536 76
" Westerlo.....	662 12

\$98,047 57

Town of Watervliet has a credit balance..... 260 14

Leaving amount due county..... \$97,778 43

RATE OF TAXATION OF CITY OF ALBANY.—The rate of taxation for the City of Albany was fixed as follows upon each \$100 of the assessed valuation for City and County purposes:

City of Albany, for that portion added to the city in 1870, \$1.03; portion west of Allen street, \$1.04; remainder of city, \$2.04; corporations which pay State tax to Comptroller, 81.78¼.

The rate of taxation fixed for the town of Watervliet for 1884 on each \$100 of assessed valuation:

Watervliet, First District, 72c.; Watervliet, Second District, West Troy, Green Island, 75c.

#### TREASURER'S REPORT.

The Treasurer's report of the County for the year ending Nov. 29, 1884, shows the receipts in his office to have been..... \$993,149 38  
Disbursements..... 993,149 38

Balance on hand..... \$18,597 86

BURIAL AND HEADSTONES FOR SOLDIERS.—On January 11, 1884, the Board adopted a resolution requiring the Clerk to keep an account of the amount paid for the burial and for headstones for deceased soldiers of the late war, under section 4, chapter 354, laws of 1884. In pursuance of said resolution and said law, the Treasurer presented a very interesting and extended report showing the number of soldiers who had died in the County of Albany during the year 1884, the name of each soldier, the company and regiment to which he belonged, his age, time and place of death, the amount of expenses paid for burial and to whom paid. The report shows the number of soldiers who died in the County during the year to be 46. The burial expenses of each soldier was \$35. The total amount paid for these burials during the year was \$1,600.

#### PRESERVATION OF PUBLIC RECORDS AND BOOKS.

On Dec. 17, 1884, Wm. D. Strevell, Clerk of the County, presented an interesting communication to the Board, stating that a quantity of valuable record books removed from the City Hall at the time of the fire were scattered over the floor in a confused condition in one of the rooms in the tower of the new City Hall, where they had been placed after its completion. The communication also showed that further neglect would be highly injurious to them; that Messrs. Wheeler B. Melius and Daniel Casey, long familiar with the records of the County Clerk's office, had offered to arrange the papers, records and books for the sum of \$1,000;

and it was strongly recommended that the sum be appropriated for that purpose.

The Citizens' Association having examined the records referred to in the communication, Hon. J. Howard King, President of the Association, indorsed the said communication, whereupon it was adopted by the Board by a vote of 24 ayes to 1 no.

It is gratifying to state that at this writing, March 11, 1885, the work referred to in this communication, important and difficult as it was, has been completed in a most satisfactory manner, and the books, papers and records are easily accessible to all parties desiring to examine them.

The last proceedings of the Board which we have

been able to obtain were under date of Dec. 18, 1884, which includes the above.

Thus we conclude our history of the Board of Supervisors of the County of Albany, embracing a period of over a century and a half. Notwithstanding the difficulties we have encountered in obtaining a regular line of records by lapse of time, and the destruction of some by fire, we feel it is not affectation to say that through the courteous aid of the custodian of papers and documents, and of the generosity of private citizens and former officials who have valuable documents, we have been able to present a history which must be of much value and interest to the people of the County.

## THE BENCH AND BAR,

OR

## LEGAL HISTORY OF ALBANY COUNTY.

By L. B. PROCTOR, Esq.

ALBANY has long been the seat of the law-making power of the State; here the great courts of dernier ressort have held their sittings since the adoption of the first constitution. Here, too, the Supreme Court of the State, presided over by the ablest jurists in the nation, has held its regular terms, from 1777 down to 1885. Here, also, for nearly two centuries, other important courts have pronounced the laws.

Among the judges and lawyers who have conducted these courts "there have been many diversities of talents and abilities. There have been those of the Bar who were listened to wholly for their intellectual qualities, for the wit or the wisdom, the learning or the philosophy, which characterized their efforts. There have been those whose main attraction was a curious felicity and facility of illustration and description, adorned by the richest gems which could be gathered by historical research or classic study. There have been those to whom the charms of manner, the graces of elocution and the melody of voice were the all-sufficient recommendation to applause. There have been those who owed their success more to opportunity and occasion, to some stirring theme or some exciting emergency, than to any peculiar attributes of their own. And we may say that there have been those who combined in a large degree all of these qualities."

In writing the history of the Bench and Bar of Albany County one feels as though he was writing the Bench and Bar of the State itself, such is the commanding influence they have had and still have in legal history. In entering on our duty we shall begin with the first organization of courts of justice in the county.

### EARLY COURTS.

Courts of justice were organized in the colony of New York by the English, under the authority of the code known as the "Duke's Laws." The principal courts were, at first, the Court of Sessions and Town Courts, but very soon after authority was given for the organization of Courts of Oyer and Terminer. The Dutch Court of Burgomasters and Schepens was changed to Mayor's Court.

The above comprised what may be called the first judicial system, which existed from 1665 to 1683; we do not find the record of any Court of Oyer and Terminer, or of Court of Sessions, or of Town Courts, that were held in the County of Albany during this period.

The second judicial system existed from 1683 to 1691. The Town or Justices' Courts, Court of Sessions and of Oyer and Terminer were continued, and a Court of Chancery established.

The third judicial system was inaugurated in 1691, and continued during the colonial period.

It preserves the courts previously established, and added for the first time a COURT OF COMMON PLEAS and a SUPREME COURT.

The Court of Oyer and Terminer was made a criminal side of the Supreme Court, as it is now of the present Supreme or Circuit Court. We find no record of the proceedings of any of those courts of the County of Albany during this period of any importance, excepting the Court of Common Pleas, and some proceedings of a Court of Sessions that seems to have existed. There was, during this period, a Mayor's Court in the City of Albany having civil and criminal jurisdiction, composed of the Mayor and Aldermen.

In 1683 an act was passed "to settle courts of justice," which directed a Court of Oyer and Terminer to be held in the respective counties of the province, composed of one judge, assisted by four justices of the peace of each county.

In the City of New York and the City of Albany, the Mayor, Recorder and four Aldermen were associated with the judge. This court had jurisdiction over all capital criminal causes, trials at common law. It had appellate jurisdiction of five pounds or upward; the authority for holding the court was derived from the Provincial Governor; the court was abolished May 6, 1691. Though this court held its sittings regularly at Albany, no record of any importance can be found of them.

**COURT OF SESSIONS.**—In 1683 an act was passed directing that a Court of Sessions be held, by three justices of the peace, in each of the twelve counties of the province, as follows: In New York four times, in Albany three times, and in the remainder of the counties twice in each year. In the City of New York this court was held by the Mayor and four Aldermen. In the City of Albany it was held by the Mayor and the Justices of the Peace. It determined all causes, civil and criminal, by a jury; but actions exceeding five pounds could be removed, upon application, to the Court of Oyer and Terminer. Its officers were a marshal, a crier and a clerk.

We find a record of a Court of Sessions held at Albany in 1717, as follows:

"At a Court of Sessions, held in the City Hall of Albany, this 4th day of January, 1717.

"Present—ROBT. LIVINGSTON, Jr., Esq., Mayor."

Here follow the names of eight Justices of the Peace who were associated with the Mayor in holding the Court.

"The Court opened and the Grand Jury called, who were sworn."

There were fifteen Grand Jurors present, and Richard Kitchner was made foreman.

"The Grand Jury being sworn and charge given, the Court adjourned until three o'clock in the afternoon.

"The Court opened according to adjournment. The Sheriff moves that Ruben Veghts, who was summoned for a Grand Jurymen, may be amerced for not appearing, who is hereby amerced accordingly.

"The Court adjourned till to-morrow morning."

The record shows that the Court met according to adjournment the next morning.

"The Sheriff moves that Daniel Kitchner, who was a constable of Half Moon & Schatkook, may be amerced 13/18 for not appearing and attending this Court, which was granted accordingly."

The Court then adjourned *sine die*.

It appears that no business was transacted at this Court except opening it, calling, charging and swearing the Grand Jury, and amercing one juror and a constable for non-attendance.

The next Court was held on the first day of October, 1717, but no particular business was transacted except organizing the Grand Jury.

"At a Court of Sessions, held in the City Hall of Albany, this 4th day of October, 1721.

"Present—MYNDERT SCHUYLER, Esq., Mayor, and twelve Justices.

"Conradt Borghgaert and Elias Van Schaick, being called to appear to answer to the indictment brought against them by the Grand Jury for stealing potatoes, they both appear. The indictment was read to them and asked whether they were guilty or not guilty. They plead not guilty. The Petit Jury was called and sworn. Four witnesses were sworn. The Jury went out and a constable was sworn to keep them. The jury return and find Conradt Borghgaert and Elias Van Schaick not guilty.

#### SINGULAR JUDGMENT.

"Mr. Collins, Attorney for the King, moves that they be discharged, paying costs of suit; the Court give judgment for costs accordingly."

The Colonial Courts had a singular way of conducting business. Here were two persons indicted for stealing, who plead not guilty; were brought to trial before a jury, who pronounced them not guilty; whereupon the Attorney for his Majesty the King of England moves that they be dis-

charged, paying the costs of their trial, and the Court directed a judgment to be entered against them for the costs accordingly, although found innocent of any crime. The question occurs to us, what would have been their fate had they been found guilty?

We find the following entry in the records of the Court of Sessions, held on the 6th day of June, 1722 :

"The Grand Jury sent in a presentment against Jacob Vosburgh, Esq., for giving a judgment which was not in his power, concerning a cow, the goods of John Bernhard.

"Entered, that Peter Van Buren, Esq., acquaint Jacob Vosburgh, Esq., of the presentment brought against him, concerning the judgment, that he had no business to give, that he may appear at next Court of Sessions to make answer to ye same."

The following subpoena was issued in the case of a negro woman, named Nan, arrested for willfully setting on fire and burning the stable of Johanis Wendell, of the City of Albany :

"City and County of Albany, ss. :

"GEORGE, By the grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, &c.

"To Eliza Lansing and Hendric Ten Eyck. We command you and every of you that, all and singular, your business set aside, and all excuses ceasing, you and every of you, in your proper persons, be and appear before our Court of Sessions of the City and County of Albany, in the City Hall therein, on the third day of this instant July, at one o'clock in the afternoon of that day, to testify all and singular, those things which you or any of you of your knowledge or notice may know in a certain cause now depending before the said Court, and on behalf of his Majesty, by bill or information, against a negro woman, of Abraham Kip, of the city, called 'Nan,' on suspicion of burning the stable of Johanis Wendell, of the said city. And of this you and every one of you must by no means omit, under penalty of £100.

"Dated, in Albany, the second day of July, in the eighth year of his Majesty's reign, A. D. 1722.

"Per cura,

"PHILIP LIVINGSTON."

#### SEVERE PUNISHMENT.

The negro woman Nan was brought to trial at the time mentioned in the said subpoena, and was convicted of burning the building therein named, whereupon the following sentence was pronounced :

"It having been adjudged that the said negro woman, called 'Nan,' is guilty of the crime charged against her ; she shall, therefore, within the space of ten days, be whipped behind a cart, on the naked back, twenty lashes, round this city, at the places following : Before the City Hall ; at the corner of the house of Johs. Teller ; at the corner of the house of Jacob Yetts, Jun. ; at the corner of the house of Johs. Ten Broeck ; before the gate of John Wendell, and before the gate of Anthony Van Schaack, double the lashes ; then at the corner of the house of Stephanis Groesbeck ; at the corner of the house of Jan Jans Bleeker ; at the corner of the house of Johs. Bleeker, Jun. ; at the corner of the house of Philip Livingston ; at the corner of the house of John Manse ; at the corner of the house of the widow of John Dircks ; at the corner of the house of Jacob Lansing ; at the corner of the house of Johs. Dangler ; at the corner of the house of Anna Mary Carnisie ; at the Great Bridge, and then at the City Hall, five lashes ; after that to be imprisoned for the space of one year, unless her master will enter into bond and sufficient security to export her out of this province, and pay the charge of her imprisonment.

"Copy of this judgment given to a constable to be executed."

#### REFUSAL TO DRINK THE ROYAL FAMILY'S HEALTH.

At a Court of Sessions held in the City of Albany, at the City Hall, on the 4th day of August, 1722, the Grand Jury sent up the following presentment :

"The jurors of our Sovereign Lord the King, impaneled and sworn to enquire for the body of the City and County of Albany, on their oath present Philip Verplanck, of the City of Albany, surveyor, for that he, the said Verplanck, on the 28th day of May last, without the gates of the said city, at a bonfire, did make disturbance, and hindered Myndert Schuyler, Esq., one of his Majesty's Justices of the Peace of the said city and county, in drinking the health of the Royal Family at the said bonfire.

"(Signed) JOHS. MANGAEL, Foreman."

The following entry was made, at a subsequent day of said term, and the case was thus disposed of :

"Philip Verplanck, of this city, who was bound over to appear at this Court by recognizance, being called and appeared ; ordered that he be discharged on paying the fees."

There are some records of the Colonial Court of Sessions missing after the term of the Court held January 8, 1723 ; but it continued to hold its reg-

ular sessions down to 1775, when it was discontinued by the opening scenes of the Revolution.

THE MAYOR'S COURT of Albany, to which we have referred, was a very important tribunal; there exists a pretty full record of its proceedings in Albany, entitled, "*Minutes of the Mayor's Court of Albany.*" Many persons are inclined to the opinion, from some of the entries in these records, that it had the jurisdiction and was a court of sessions; we find no other record of a court of sessions of that period.

In 1686 Albany was incorporated as a city, and provisions were made for holding a Mayor's Court three times a year. The Mayor, Recorder and four Aldermen were associated with the judge in holding the Courts of Oyer and Terminer. We shall give some of the proceedings of this court hereafter.

THE SUPREME COURT was originally established in this State by Act of the Colonial Legislature, May 6, 1691, and continued by limitation to 1698; after this it was continued by proclamation, and finally by ordinance of the Governor-General and Council, dated May 15, 1699.

It was empowered to try all cases, civil or criminal, with jurisdiction and procedure like the English courts of King's Bench, Common Pleas and Exchequer, and was possessed of all the powers of those courts; but it had no equity side. By a subsequent act of the General Assembly the judges were made Judges of Nisi Prius, and annually performed a circuit through the counties of the State, at which time they had a commission of Oyer and Terminer and General Jail Delivery, in which some of the county judges were joined.

Regular terms of *Nisi Prius*, or Trial Courts, were held at Albany after the act of the Assembly we have referred to. This was the Colonial Supreme Court, with a *Nisi Prius* branch now known as the Circuits.

We have briefly described the Courts during the Colonial period. Among these Courts, the Court of Common Pleas was one of the most important. It was established in New York and Albany by the Charter of 1686; by the Act of 1691, a Court of Common Pleas was established in each county in the State; at first it was composed of one judge and three justices, but in 1702 it was ordered that the judge be assisted by two or more justices in holding the courts, all of whom were appointed by the Governor, and held office during his pleasure. It had cognizance of all actions, real, personal and mixed, where the amount sued for exceeded five pounds. Its practice assimilated to the King's

Bench and Common Pleas at Westminster. Its errors were corrected in the first instance by Writs of Error into the Supreme Court. Appeals were allowed to the Supreme Court for any judgment where the amount involved exceeded twenty pounds. The clerks were appointed by the Provincial Governor—except the clerk at Albany, who, in some instances, was appointed by the King.

The Mayor, Recorder and Aldermen of the City of Albany, or any three of them, were, in 1686, *ex-officio* members of the Court of Common Pleas, acting when no judge was present. On May 27, 1691, Peter Schuyler was appointed the Presiding Judge of the Court of Common Pleas of Albany; May 27, 1702, he was succeeded by John Abeel, who served until October 14, 1702, when Peter Schuyler was reappointed. Judge Schuyler presided for the long term of fifteen years, when, on December 23, 1717, he was succeeded by Killian Rensselaer, who presided till 1726, when Rutger Bleecker succeeded him. Judge Bleecker pronounced the laws from the bench of Common Pleas till 1733, when he was succeeded by Ryer Gerritse, who, on November 28, 1749, was succeeded by Robert Sanders.

The court then consisted of Robert Sanders, Esq., and Sybrant G. Van Schaick, judges; John Beekman, Leonard A. Gansevoort and Robert Roseboom, assistants. The first records which can be found of the proceedings of this court that can be regarded as reliable are as follows:

"At an Inferior Court of Common Pleas, held in and for the City and County of Albany, at the City Hall of the said city, on Tuesday, the 5th day of June, 1750. Present—

"ROBERT SANDERS, } Esq's.,  
"SYBR'T G. VAN SCHAICK, } Judges.

"JOHN BEEKMAN, }  
"LEONARD A. GANSEVOORT, } Assistants.  
"ROBERT ROSEBOOM, }

"Commission read, Court opened.

"The following were among the cases called:

"Gerret Borghgherd, by A. Collins, his Attorney, vs. Isaac Van Alstyne, by Richard Stevenson, his Attorney.

"The Sheriff returns the venire; the action deferred till next Court, the Def't. being sick.

"Jacob C. Ten Eyck, by Richd. Stevenson, his Attorney, vs. Albert Van Slyke, by A. Collins, his Attorney, who Confesses Judgment to the Plaintiff for the Sum of one hundred and forty-three Pounds, one half Penny, with Lawful Interest, and costs. Whereupon Judgment is Granted Accordingly.

"The next case was France Claw, Junr., by A. Collins, his Attorney, vs. Joh's Van Duesen, by A. Crooke, his Attorney.

"The Sheriff returned the venire with a panel of the Jury, who, being called, the following appeared, and were sworn, viz.:

"Albertus Becker, Philip Shelters, Pietrus Bogardus, William Plase, Hans T. Willer, George Redinbergh, Richard Oliver, Philys Selt-Pagh, Martin Cooper, Paul Dick, Kihan Stafle Been, Benjn Hilton.

"Pleading read.

"The following evidence sworn for the Plaintiff."

Here follows the names of seven witnesses for the plaintiff, one of them ("Isaac Vosburgh) sworn on his *Voire Dire*." Four witnesses were sworn for the plaintiff.

"Declaration and Affidavit of the widow Cobus read for the plaintiff; Court duly addressed by Counsel for the parties.

"Jury charged. Two Constables sworn to keep the Jury, and the Jury go out.

"France Claw, Junr., by Collins, vs. Joh's Van Duesen, by Crooke.

"The Jury returned, and, asked if they were agreed on their verdict, answered, 'Yes.' Being asked for whom they found it, answered, 'for the Plaintiff, Sixteen Pounds damages, and Sixpence costs.' Whereupon, Mr. Collins said: 'May it please the Court, the Plt.'s Att'y remits eight Pounds of the damages, being more than he sued for.' Whereupon, on motion of the Plaintiff's Attorney, the Court grants Judgment for the remaining eight Pounds and costs of suit."

The proceedings of the court at that early day were very similar to those in the courts at the present time. For instance: The following is the proclamation of the crier before the presiding judge charges the grand jury:

"Hear Ye! Hear Ye! All men or persons are strictly charged and commanded to keep silent whilst his Majesty's Commission of the Inferior Court of Common Pleas is reading."

Proclamation to open court:

"Hear Ye! Hear Ye! All men or persons that have anything to do at this Inferior Court of Common Pleas, let them draw near, give their attention, and they shall be heard."

Proclamation to adjourn the court:

"Hear Ye! Hear Ye! All men or persons that have here appeared at this Court of Common Pleas may for the present depart, and attend again as the Court orders."

Juror's Oath: "You shall well and truly try the issue joined between A. B., Plaintiff, and C. D., Defendant, and a true verdict give according to the evidence, so help you God!"

It appears that in those days there were two constables sworn to attend the jury, with different oaths; one of them was probably to sit at the outside door of the jury-room, and the other to sit by the door on the inside. Their oaths will be regarded by the officers of the present court as somewhat singular. The outside constable's was as follows:

#### GRAND JUROR'S OATH.

"You shall go out with such jurors as shall have leave of the Court; you shall not suffer any person to speak to them, neither shall you speak to them, but bring them in presently, so help you God."

Constable's oath who attended the jury inside: "You shall well and truly keep every person sworn on this jury together in some private and convenient room, without meat, drink, fire, candle or lodging, or anything that shall minister to their comfort; and you shall not suffer any person whatever to speak to them, or any of them, neither shall you, yourself, speak to them, unless it be to ask them whether they be agreed on their verdict. So help you God."

One of the most stubbornly contested cases was that of Masta Winne, who appeared in person against Hendrick Van Buren, by Rutgert Corry, his attorney. The case was tried by a jury, and a large number of witnesses were sworn for the respective parties. The jury found a verdict for the defendant, upon which judgment was entered. Whereupon Mr. Winne moved for forty days to file his declarations, and the defendants moved for forty days more to file their pleas, which the court granted accordingly.

#### APPEALS.

This procedure will hardly be understood by lawyers of the present day. As we understand it, however, this was the course adopted to remove the case to an Appellate Court. When a party was defeated, he asked leave to file his declaration or plea, as the case might be. This compelled the other party to do the same. At the expiration of the time for filing the respective pleadings, and they being filed, the case was appealed; the proceedings were stayed on granting the first motion.

Judge Gansvort was one of the judges of the Court of Common Pleas under the Federal Government.

At a Court of Common Pleas for the City and County of Albany, held at the City Hall, in the City of Albany, on the 2d of October, 1759, Volkert P. Douw was one of the judges of that court. This is the first time we find Judge Douw occupying the Bench of the Colonial Court of Common Pleas. He continued to preside on the bench until January 10, 1771, when he was succeeded by Rensselaer Nicolls.

The Colonial Court of Common Pleas continued to hold its regular terms of court under the Colonial laws until January, 1776, when the increasing spirit of American Independence caused it to dissolve. Its last presiding judge was Henry Bleeker; its last term began at the City Hall, in the City of Albany, January 19, 1776.

#### LAST COLONIAL COURT.

There is a singular incident connected with the recorded proceedings of this term. Opposition to all manner of British rule, executive, legislative and legal, had now manifested itself to such a degree that the judges and officers of the court at the term about which we are writing organized under the immediate fear of a popular outbreak. Nevertheless the court convened and proceeded with its business. The sheriff returned a few writs, a few judgments by confession and by default were taken, and some unimportant business was transacted, when the following cause was reached :

SOLOMON ECKER	}
<i>agst.</i>	
HARME QUACKENBOSS.	

The entry in the rule book then proceeds as follows: "On motion of Peter W. Yates, attorney for the defendants, ordered that the plaintiff show cause at ——" Here the entry is suddenly broken off, probably by fear of the popular outbreak of the Sons of Liberty, and it is the last proceeding of the Colonial Court of Common Pleas.

On July 26 following the Declaration of Independence was read in front of the City Hall to a vast assembly of the citizens of Albany and the surrounding country.

It is proper to add that the only attorney present at the court we have described was Peter W. Yates. Henry Ten Eyck was sheriff at this time, the last under the English government; Stephen De Lancy, clerk. The associate judges were *John H. Ten Eyck* and *Henry Van Schaack*. Judge Van Schaack had just been appointed. He was a lawyer controlling a very respectable practice.

It was the practice of the clerk of the Colonial Court to enter in the common rule book at the

term of court the names of all the lawyers having causes to dispose of, as follows:

"Mr. Gansevoort's rules." Then would follow a list of his causes, and the manner in which they were disposed of. Then would follow:

"Mr. Peter W. Yates," and his causes and the manner of their disposition, and so on.

At some of the terms the leading lawyers would have from ten to twenty cases under their rules, with a brief entry opposite each cause, like the following: "The def't in this cause has confessed the action and suffered jud. before Judge Douw for £6 4s. 2d. damages, besides costs of suit. On motion of Mr. Gansevoort, attorney for pl'tf, judgment is ordered for the same." Often the entry would be, "Interlocutory judgment."

#### PROMINENT LAWYERS.

Of the lawyers whose names most frequently appear in those courts were Richard Gansvort, A. Sylvester, Mr. Corry, Robert Yates, Peter W. Yates, Mr. Bleeker. The two Yateses, Robert and Peter W., seem to have controlled for many years an extraordinary amount of legal business.

The Court of Common Pleas which we have described was established in the State of New York by the Provincial Governor and Council, May 15, 1699, and continued in the County of Albany down to January 19, 1776. But we can find no earlier record of the court than we have given.

This court had cognizance of causes above five pounds, and, as we have seen, had three judges and three assistant judges. With some of the justices they held at the same time a Court of General Sessions of the Peace for the trial of criminals.

After the adoption of the first Constitution this Court of Common Pleas was reorganized without any material change in their procedure; it continued in existence in this way until the adoption of the Constitution of 1821, when some changes were made in it, one of which was increasing the number of judges in some counties to the number of twelve.

The Constitution of 1821 provided for the appointment by the Governor of five judges in each county, of whom one was designated as *First Judge*. This court continued until it was abolished by the Constitution of 1846, and a county court instituted in its place.

The First Judge of the Albany County Court of Common Pleas was *Volkert P. Douw*. He was appointed First Judge of the county by a provincial convention, by which he was commissioned January 6, 1778.

## FIRST COURT AFTER THE REVOLUTION.

We have seen that Judge Douw was presiding judge of the Court of Common Pleas for many years; he served with ability and learning down to May, 1775, when, moved by his patriotic spirit, he declined to hold his office under the British Governor-General of New York, and resigned.

Owing to the unsettled state of the country, few courts were held under the Constitution of the State until after the close of the war. We can find no record of any court at which Judge Douw presided, nor of any court in the County of Albany until 1785. In the meantime Judge Douw was by reason of his age compelled to retire from the bench, and on March 6, 1781, *Abram Ten Broeck* was appointed by Gov. George Clinton First Judge of the Court of Common Pleas of Albany County. Peter Van Ness, John Price and John M. Beekman were appointed associate judges or justices. The first record of the sittings of the Court of Common Pleas in the County of Albany after the Revolution, which can be found, is the following:

"At a Court of the Common Pleas, held for the City and County of Albany, at the City Hall, in the City of Albany, on Tuesday, the 10th day of January, 1785. Present—

"Abraham Ten Broeck, Esq., First Judge.

"Peter Van Ness, Esq.,  
"John Price,  
"John M. Beekman, } Associate Judges.

"After organizing the court adjourned until the 19th day of January, 1785.

"The court met pursuant to adjournment, January 19, 1785. Present—

"Peter Van Ness, Esq.,  
"John Price,  
"John M. Beekman, } Associate Judges.

"On reading a license under the hand of Richard Morris, Esq., for the admission of Killiaen Van Rensselaer, Esq., to the bar of the Supreme Court, ordered that the said Killiaen Van Rensselaer be admitted an attorney and counsellor at law in this court.

"Abraham Ten Broeck, Esq., First Judge, took his seat."

## LAWYERS PRESENT.

Among the attorneys present at this court were Mr. Visscher, who had a large number of causes on the calendar; Mr. Gilbert, Mr. Gansevoort, Mr. Wynkoop, Mr. Bay, Mr. Sill, Mr. Graham, Mr. Sylvester and Mr. Lush. These gentlemen represented a large number of causes, of which there

were 131 on the docket; but none of them appear to have been tried, although several were referred, showing that the practice of trying causes in that manner was as prevalent then as at the present.

There were several judgments taken by default, and many "interlocutory judgments" entered. It seems to have been a law term of the court, as there is no record of a grand or a petit jury.

This term of court was succeeded by regular terms thereof down to 1821. The following is a list of the first or presiding judges of that court down to 1846:

Leonard Gansvort, appointed March 19, 1794; John Taylor, appointed February 7, 1797; Nicholas N. Quackenboss, appointed January 13, 1803; David McCarthy, appointed March 13, 1804; Charles Cooper, appointed March 29, 1806; Jacob Ten Eyck, appointed June 8, 1807; Apollo Moore, appointed June 6, 1812.

Mr. Judge Moore discharged the duties of this office till March 15, 1828, when he was succeeded by James L'Amoreaux, who discharged the duties of the office till March 12, 1833, when he was succeeded by Samuel Cheever. Judge Cheever was, on the 17th day of May, 1838, succeeded by Jacob Lansing, who presided till April 17, 1843, when he was succeeded by Peter Gansevoort, who held the office of First Judge until the court was abolished by the provisions of the Constitution of 1846.

This court was continued without material change by the Constitution of 1821 until its abolishment in 1846. The judges were appointed by the Governor and Senate for a period of five years. By the Constitution of 1846 all judicial officers were made elective.

The following is a record of the earliest Mayor's Court we can find:

"At a Mayor's Court, held at the City of Albany, at the City Hall of the said city, on the 20th day of May, 1760. Present—

"SYBRANT G. VAN SCHAICK, Esq., Mayor.

"JACOB TEN EYCK, Esq., }  
"JACOB LANSING, Esq., } Aldermen.

"BENSON TURNER, }  
agl. } by Corry.

"JOHN BARRON, } by Yates.

"The sheriff returned the venire in the above cause with the panel of the jurors annexed."

Then follow the names of twelve jurors, after which appear the names of the witnesses sworn, and the following entry: "The jury charged and

retired under two constables. The jury returned, and being asked whether they were agreed on their verdict answered 'Yes;' being asked for whom they found it, answered 'for the plaintiff, thirty-nine pounds damages, and six pence costs.'

"On motion of Mr. Yates, attorney for the defendant, the judgment being deferred until next court."

There were seventy-five causes on the calendar.

At this term "Robert Yates produced license appointing him an attorney at law for the Mayor's Court and for the Court of Common Pleas for the City and County of Albany, and was accordingly admitted." Mr. Yates was one of the most distinguished lawyers of his times.

The last record of the Mayor's Court under the Colonial government closes with the year 1768. It was a court of much importance, and had, as we have said, both civil and criminal jurisdiction. After the adoption of the Federal Constitution another Mayor's Court was organized for the City of Albany, to which reference will be made hereafter.

**THE SUPREME COURT UNDER THE FIRST STATE CONSTITUTION.**—On the 19th of February, 1777, the "Convention of the Representatives of the State of New York," assembled by adjournment to Kingston, N. Y., and on the 20th of April succeeding adopted, agreeably to the recommendations of the Continental Congress, the first Constitution of the State of New York. In it the existence of the *present* Supreme Court of the State was recognized. On the 3d of May, 1777, the Convention elected John Jay Chief Justice, and Robert Yates and John Morin Scott Associate Justices. Scott, however, declined, and John Sloss Hobart, who received the next number of votes, was declared elected. Judge Hobart was one of the most distinguished men of his times. He was one of "the Sons of Liberty," organized in the City of New York in November, 1765, to oppose the execution of the Stamp Act. From that time till the day of his death, February 4, 1805, he was constantly in public life, serving in various legislative and judicial offices, as United States Senator and a Judge of the United States Court in New York. When Hobart was appointed a Justice of the Supreme Court, Robert R. Livingston was appointed Chancellor, and Egbert Benson Attorney-General.

Fifteen persons were, on the same day, elected a Council of Safety to carry on a temporary government until the Constitution could be put into operation. On the 8th of May, 1777, a plan of government was reported, in which were the names of

the above members of the Supreme Court, as were those of the Chancellor and Attorney-General, and was adopted by the Convention. The plan also provided for the election of a Governor, Lieutenant-Governor, a Senate and an Assembly.

The Convention dissolved on the 13th of May, and on the 14th the Council of Safety went into operation. On the 20th a commission for holding Courts of Oyer and Terminer and General Jail Delivery in the State, drafted by Chief-Justice Jay, was issued by the Council. On the 5th of June following the Council directed that, until Legislature should otherwise provide, the Supreme Court should sit at Kingston, and that the terms should be the same as throughout 1774. These terms were the same as provided for in the ordinance of 1760. The seal of the Supreme Court was likewise ordered to be delivered to the Council.

On the 9th of August, 1777, the first term of the Supreme Court of the State under the Constitution was held, and Chief-Justice Jay delivered the first charge to the Grand Jury.

In 1778 the Judges of the Supreme Court were empowered to devise a seal, and it was directed that all proceedings of the Court should be before the "People of the State of New York," instead of, as heretofore, "Before our Sovereign Lord the King," etc.

On the 18th of May, in 1784, the first Grand Jury of the Court of Oyer and Terminer after the Revolution sat in the City of New York. Judge Hobart, with whom was associated James Duane, Mayor of the city, held the court; Judge Hobart delivered the charge to the Grand Jury.

**FIRST COURT UNDER THE CONSTITUTION HELD AT ALBANY.**—On January 1, 1785, the terms of the Supreme Court were directed to be held at Albany on the last Tuesday of July and the third Tuesday in October, and that in the City of New York on the third Tuesday in January and April in every year; the April and October terms to continue for three weeks, and the January and July terms for two. Accordingly the first term of the Supreme Court ever held in the City of Albany convened on the last Tuesday of July, 1785. Hon. Richard Morris, who had been appointed Chief Justice in place of John Jay, presided.

From that time down to the present the Supreme Court of the State has held regular terms, according to appointment, in the City of Albany.

The most practical and, perhaps, the most perfect manner of presenting the history of the Bench and Bar of Albany County is to give it in the lives

of the judicial officers, the eminent jurists and lawyers, who made that history. We begin with

#### ROBERT YATES.

ROBERT YATES was an eminent jurist, prominent in the legal and legislative history preceding and during the Revolution. With John Jay, John Sloss Hobart, William Duer, Gouverneur Morris, Robert R. Livingston and others, he was a member of the memorable committee appointed on the first of August, 1776, to prepare a form of government for the then new State of New York. The committee reported March 12, 1777, which report was debated until April 20 following, when the first constitution of the State of New York was adopted. He was a member of the first Provincial Congress, which assembled May 22, 1775, and adjourned the following November. He was also a member of the second Congress, which convened February 12, 1776, and adjourned May 13 following. On May 8, 1777, he was appointed a Justice of the Supreme Court of the State, serving till October 28, 1790, when he was appointed Chief Justice of the State. In 1787 Judge Yates was appointed by the Legislature of the State, with Alexander Hamilton and John Lansing, Jr., a delegate to the convention which formed the Constitution of the United States. According to the form of the resolution, they were appointed "for the sole and express purpose of revising the Articles of Confederation, and reporting to Congress and the several legislatures such alterations and provisions therein as shall, when agreed to in Congress and confirmed by the several States, render the Federal Constitution adequate to the exigencies of government and the preservation of the Union."

Chief-Justice Yates and John Lansing withdrew from the convention, because it did not more effectually secure the rights of the individual States; they were anti-Federalists or Republicans.

"To these men and their copatriots the nation is indebted for the ten important amended Articles which were subsequently made a part of the Constitution." Hamilton was the only delegate from this State who signed it.

Judge Yates was also a commissioner to settle the rival land claims of New York and Vermont, also of Massachusetts and Connecticut. He was born in 1738 and removed to Albany early in life, where he spent the remainder of his days. He died in 1801.

#### JOHN LANSING, Jr.

JOHN LANSING, Jr., was born at Albany, on the 30th of January, 1785. He studied law with Robert Yates, afterward Chief Justice, in Albany, and with James Duane, in the City of New York.

In 1776 and 1777 he was the military secretary of Major-Gen. Schuyler, Commander of the Northern Department, and who was engaged in the summer of the latter year in active operations to resist the advance of Burgoyne. In a letter to James Duane, dated at Saratoga (now Schuylerville) on the 30th of November, 1776, Mr. Lan-

sing declined accepting, by reason of his holding the above post under Gen. Schuyler, a commission of lieutenant in the new levies of troops.

After being admitted to the Bar, Mr. Lansing pursued the practice of his profession in the City of Albany with great success.

From 1780-1 to 1784 he was a member of Assembly (the 4th, 5th, 6th and 7th Sessions) from the City of Albany.

On the 3d of February, 1784, he was appointed Member of Congress, under the articles of confederation, and on the 26th of October following was reappointed.

On the 13th of January, 1786, he was elected Speaker of the New York Assembly. On the 28th of April following he, together with John Haring, Melancthon Smith and Robert Yates, was appointed (in place of John Jay and Walter Livingston, resigned) on the commission that met at Hartford, in that year, and made final decision of the territorial claims of New York and Massachusetts.

On the 29th of September, in the same year, he was appointed, by the Council of Appointment, Mayor of Albany.

In 1786 he was again elected Member of Assembly from the City and County of Albany.

On the 26th of January, 1787, he was once more delegated a Member of Congress under the Confederation.

On the 6th of March, in the same year, the New York Legislature appointed Mr. Lansing, Alexander Hamilton and Robert Yates to the Philadelphia Convention, which assembled on the 25th of May, and framed a Constitution of the United States. Mr. Lansing, together with Mr. Yates, was opposed to the principles of the Constitution, as presenting a system of consolidated government at variance with the rights of the States. He retired from the Convention with Mr. Yates, on the 5th of July, 1787, before the Constitution had been definitely settled upon by that body, but not until it was seen how it was to be established, and published his reasons for so doing in a letter jointly with Mr. Yates to Gov. George Clinton.

In 1788 Mr. Lansing was again a Member of the New York State Convention which ratified the Constitution from Albany County.

On the 12th of December, 1788, the Assembly of the State of New York re-elected him Speaker.

By an act of March 6, 1790, he was appointed by the Legislature one of the commissioners on the part of the State of New York to settle the controversy of that State with Vermont; and on the 28th of September following he was appointed one of the justices of the Supreme Court of the State.

In the succeeding year, by an act of the Legislature passed on the 6th of July, Judge Lansing, Abraham Van Vechten and Robert Yates were appointed commissioners to determine the claims of citizens of the State of New York to lands situated in Vermont, ceded by New York at the settlement of the controversy, and what portion of certain moneys (\$30,000) each claimant should receive.

On the 15th of February, 1798, Judge Lansing received the appointment of Chief Justice of the Supreme Court of the State, in place of Chief Justice Robert Yates, who had resigned under the constitutional limit of sixty years.

On the 21st of October, 1801, Chief Justice Lansing was appointed Chancellor of the State of New York, in place of Chancellor Robert R. Livingston, who had also resigned under the above limit.

On February 4, 1804, Chancellor Lansing was nominated by a Republican legislative caucus to the office of Governor of the State of New York, but in a letter of the 18th of that month he declined the nomination.

On the 28th of January, 1817, he was appointed a Regent of the University.

In 1824 he was chosen a Presidential Elector from the City and County of Albany.

On December 8, 1829, Chancellor Lansing visited the City of New York on business, which detained him several days. He was a guest at the City Hotel. The evening of December 12 was dark and stormy. Having an important letter for Albany, which he desired to mail, he left the hotel with a view of depositing it in the mail box on board a steamer that was to leave New York that evening. He did not return to the hotel, and was never seen or heard from after leaving it. It is generally believed that he fell into the river and was drowned, and yet his body was never recovered.

Fifty-five years have passed away and the mystery that hung over this sad event has been deepened by the lapse of each succeeding year. The sudden disappearance of a citizen so illustrious, whose long life had been mostly devoted to the interest of the State, produced a sensation at Albany as deep as did that of the sudden death of De Witt Clinton, a little less than a year previous. Although Chancellor Lansing was in his seventy-sixth year at the time of his death, he was vigorous and active in mind and body. In person he was large and handsome, with remarkably fine features. He was a fascinating conversationalist, dignified and impressive in his bearing.

He was married in 1781 to Miss Ray, daughter of Robert Ray, Esq., a distinguished citizen of the City of New York; four children, all daughters, were born to this marriage.

Chancellor Lansing was the author of a small volume entitled "Reports of Select Cases in Chancery, and in the Supreme Court of the State of New York, in 1824 and 1828," viz., in Chancery, *Lansing v. The Albany Insurance Company*, March 24, 1824; *Egberts v. Lansing*, September 7, 1822; *Lansing v. Goelet*; Supreme Court, *Globe Insurance Company v. Lansing*, February Term, 1826.

#### ABRAHAM VAN VECHTEN.

Among the great American lawyers whose names appear on the roll of the Albany Bar is that of Abraham Van Vechten. No name is more honored in the history of the State than his—

honored not only as a learned, eloquent and eminently successful lawyer, but as a legislator whose wisdom and profundity are seen in the enactment of many of the laws that have given protection and greatness to the State of New York.

He was born at Catskill, December 5, 1762. He received his elementary education at Esopus, now Kingston, New York, completing his education at Kings, now Columbia College. At the close of the revolutionary war he commenced the study of law under the direction of Chancellor John Lansing. He was one of the first lawyers admitted to the Bar after the organization of our government. Immediately after his call to the Bar he opened an office at Johnstown, Montgomery County, New York, but was soon invited to occupy a more extensive field in the City of Albany.

The high places at the Bar were then occupied by gifted advocates, among whom were Hamilton, Burr, Harrison, Jones and Livingston. But the brilliancy of such names could not cast young Van Vechten in the shade. He soon ranked among the illustrious seniors as an equal and a competitor for the highest professional eminence; untiring in his efforts, the naturally great powers of his mind were continually developed and expanded.

His intellect was formed to grapple with the most abstruse and difficult subjects of legal and judicial investigation; and he early inured himself to the most intense application of mental industry. In acuteness and the ready comprehension of any subject presented for his investigation, he had few equals. Nature seemed to have furnished him with powers eminently adapted to the illustration of legal principles, but he made no display of legal lore; his learning seemed incorporated with all his thoughts. What he once read was well digested and remained ever ready for application.

A large portion of his life was spent in the discussion of legal questions in our highest courts of law and equity; he was always listened to with profound attention by the ablest judges in the State and nation. His arguments, clear and learned, always elucidated and instructed, and greatly aided the tribunals to which they were addressed in coming to correct conclusions. His style was remarkable for perspicacity and strength, enforced by thoughtful logic.

In his manner he was usually calm and unimpassioned, yet earnest and forcible. His talents were too conspicuous to allow him to confine his efforts to the Bar. He was repeatedly chosen to represent his fellow citizens in both branches of the Legislature. The State Senate Chamber was the theatre of some of his highest intellectual efforts.

As a member of the *Court for the Correction of Errors* he has left behind him enduring monuments of his legal learning.

On February 13, 1813, he was appointed Attorney-General of the State. He was the successor of that illustrious lawyer, Thomas Addis Emmet. In February, 1815, he was succeeded by Martin Van Buren. The high and responsible duties of Attorney-General were never discharged with more ability and success than by Mr. Van Vechten.

During the administration of Gov. John Jay, that great statesman, in recognition of Van Vechten's commanding talents as a lawyer, tendered him—then one of the youngest members of the Bar—the office of Judge of the Supreme Court of the State. The offer was modestly declined, as Mr. Van Vechten preferred to practice his profession instead of presiding on the bench. The lawyer and the student are often astonished at the vast number of our reported cases heard in the Supreme Court and *Court for the Correction of Errors* in which Mr. Van Vechten represented one of the parties litigant.

"Over a half century his brilliant mind was constantly shedding its light over the jurisprudence of the State and nation. The Bar long delighted to accord to him its highest honors."

To the younger members of the profession he greatly endeared himself by his kind and courteous manners; and by all he was venerated as an illustrious model of professional excellence. In his daily consultations with his clients he was emphatically a peacemaker. It was his constant habit to advise the settlement of disputes without recourse to litigation, allowing no selfish interest to influence his advice or bias his mind in giving his opinions.

He was Recorder of the City of Albany from 1797 to 1808; Regent from January, 1797, to 1823; State Senator from 1798 to 1805; member of Assembly from 1805 to 1815; Attorney-General for the year 1810, and again appointed in 1813—serving two years, and was a member of the Constitutional Convention of 1821.

His character as a citizen in the private walks of life afforded a model of excellence. "He constantly displayed in his intercourse with his neighbors and acquaintances the most amiable social qualities. To his other traits of character was added one which is justly deemed of far the most importance; he was a sincere believer in the Saviour of the world and a venerated member of the Dutch Reformed Church of Albany. In his judicatories his parental counsels were received with reverence as eminently calculated to promote the peace and prosperity of the church. His disinterestedness was a prominent feature in his character and was the foundation of that unbounded confidence which was reposed in him by all who knew him."

On May 24, 1784, Mr. Van Vechten was united by marriage to Miss Catharine Schuyler, daughter of Philip P. Schuyler and Anna Wendell. This union proved eminently happy, and Mr. Van Vechten's domestic life was proverbial for the felicities it afforded.

#### JOHN V. HENRY.

JOHN V. HENRY was one of the earliest members of the Albany Bar. He was admitted to practice as an attorney at law at a term of the Supreme Court held at Albany in January, 1782. Col. Aaron Burr was admitted at the same term. On the 14th of April following Mr. Henry and Burr were admitted to practice as counselors at law.

The advantages of a finished classical and legal

education, united to great native mental powers, very soon gave Mr. Henry a commanding position in his profession, and he rapidly attained a State and national reputation, ranking with Hamilton, Burr, Hoffman, Lansing, and other great luminaries that adorned the Bar.

Possessing attractive elocutionary powers, controlled by close and ready logic, enlivened and strengthened by extensive reading, stimulated by ambition, it was natural that he should be attracted to the political arena. Here his abilities were speedily recognized and appreciated, and he became a leader.

In 1800 he was chosen Member of Assembly for Albany County. By re-election he represented this county in the Assembly in the Legislature of 1801-2. He was the acknowledged leader of the Federal party in those bodies. So moderately and so justly did he govern and exercise his political sentiments that he gained the esteem and friendship even of his political opponents, with a very few exceptions. Hence his great influence in the Legislature.

In January, 1800, Mr. Henry was appointed Comptroller by John Jay, then Governor of the State. As he was eminently qualified for the duties of this office, his appointment was very popular. George Clinton, who had been Governor from 1777 down to 1794, was in 1795 succeeded by Jay, elected in the Gubernatorial election of that year. Gov. Jay was re-elected in 1798. In 1801 Gov. George Clinton was re-elected. Mr. Clinton, though apparently friendly to Mr. Henry, suddenly removed him from the office of Comptroller. At the time of this removal the Governor had been in office but a few months. Mr. Henry's successor was Elisha Jenkins, a merchant of Hudson, N. Y.—a man in every sense Mr. Henry's inferior. This appointment of Jenkins was made at the instance of Ambrose Spencer, at that time a political boss, with powers equal to any of the modern rulers of political parties. Spencer afterward became a Judge of the Supreme Court and Chief Justice of the State, ranking among the greatest and purest of American judges.

Though Mr. Henry's removal from office greatly disgusted him, we must, on the whole, regard it as a fortunate circumstance in his life. It caused him to adopt an irrevocable resolution never again to accept any office, but devote himself entirely to the practice of his profession. This resolution gave him that commanding position at the Bar of the State and nation we have already described.

For many years his practice was confined to the General Term of the Supreme Court, the Court for the Correction of Errors, and in the United States Supreme Court.

To use the language of another, "The great superiority of Mr. Henry as an advocate consisted in his skill in condensing his arguments—in saying everything which could be said in favor of the position he wished to establish with the fewest words. These words were selected in the best possible manner. He never used a word except the very best to express his ideas. He was not generally

florid, and seldom aimed at brilliancy, though, if the occasion required, he could be impressive, brilliant and powerfully eloquent." He continued to devote all his time, talents and energies to his profession until the 22d day of October, 1829, when he was suddenly removed from the scenes of his earthly labors and ambition by the hand of death.

We give the following account of Mr. Henry's death as we find it in the *Albany Gazette* of October 24, 1829:

"Mr. John V. Henry, one of the most distinguished lawyers in the State, is no more. He attended the Supreme Court on Wednesday morning; on his way from the court-room at the Capitol, about 11 o'clock in the forenoon, when opposite the residence of Chandler Starr, in State street, he was seized with an apoplectic fit. He was taken into Mr. Starr's and medical aid was immediately rendered. He lingered until half-past two o'clock yesterday afternoon, when his mighty spirit was yielded up to the God who gave it. His age was about sixty-four.

"The death of Mr. Henry is a public calamity. The tears his family shed over his lifeless form fall not alone. Those who respect the probity, the independence, the gallant bearing, and the high talents which sometimes redeem human nature from suspicion, must also lament the fall of such a man as this, in whom these traits were so happily combined.

"And so depart, with fearful rapidity, the sages, the statesmen and the jurists of our day. Clinton and Wells, and Emmet and Henry, have, in their turn, ceased to be. And what a lesson to mankind do their sudden deaths impart. One by one the wise and virtuous fall into the deep gulf of Time, and yet thousands tread thoughtlessly on the solemn verge.

"The Supreme Court of the State, in session in the City of Albany, adjourned on Friday without doing any business in consequence of the death of JOHN V. HENRY."

At this time John Savage was Chief Justice, William L. Marcy and John Woodworth were Associate Justices of the Supreme Court.

At the opening of the court on Friday morning, the day after Mr. Henry's death, that great lawyer, Daniel Cady, in the presence of those illustrious judges, and distinguished lawyers from all parts of the State, arose and in a voice indicative of the deepest sorrow announced the death of Mr. Henry. So sensible and deep was Mr. Cady's emotion that, with all his commanding powers of eloquence and his usual self-control, he could at first hardly proceed with his announcement. Gaining composure, he pronounced a beautiful and touching eulogy upon the distinguished deceased. He concluded by moving that the court adjourn until the next day.

The Chief Justice, after observing that the motion of Mr. Cady accorded well with the feelings of the court, who deemed it due the memory of so distinguished a lawyer as Mr. Henry that this mark of respect should be shown, directed that the court adjourn until the next day.

## JOHN V. N. YATES.

This distinguished lawyer, scholar and politician was a son of Chief-Justice Robert Yates. He was born at Albany in 1779. After receiving a liberal education he entered the office of John V. Henry, under whose tuition he prepared for the Bar. After receiving his degree as Attorney at Law, he began practice in Albany. With the advantages of extraordinary talents, an excellent classical and legal education and influential friends, he rapidly made his way to the front rank of his profession.

In 1803 the Legislature appointed him one of a committee with John Cuyler and Charles D. Cooper to report an estimate of the cost of a State and Court House in Albany.

On March 7, 1804, they submitted their report to the Legislature, and it was adopted.

On April 6 following an act was passed authorizing the erection of the building.

In 1808 he was appointed a Master and Examiner in Chancery. In June, 1808, he was appointed Recorder of the City of Albany.

In January, 1809, he was removed, to make place for Mr. Graham, and was restored in 1811, serving till July 8, 1816, when he was again removed, as before, for political purposes. In the administration of this office Mr. Yates exhibited rare judicial abilities.

In April, 1818, he was appointed Secretary of State, serving till February 13, 1823, when he was re-appointed, serving till 1826, when he was succeeded by Azariah C. Flagg.

In the administration of this office he exhibited abilities which commended him largely to public favor.

In 1808 Mr. Yates became embroiled in a memorable legal contest with Chancellor Lansing. This contest grew out of an attempt of the Chancellor, in his official capacity, to punish Yates for malpractice and contempt of court. The case was seriously important in many senses, one of which brought the Court of Chancery and the Supreme Court of the State in collision.

At the time of which we are speaking Yates was a Master in Chancery. By the ninth section of the act then in existence concerning Attorneys, Counselors at Law and Solicitors in Chancery, all these officers were forbidden to bring any action in the name of another attorney or solicitor, without his knowledge and consent.

At this time Yates was not a solicitor of the Court of Chancery, but began an important suit in that court, using the name of one Peter W. Yates, a solicitor, without his knowledge, against the statute. Complaint was presented to Chancellor Lansing, who granted an order for the arrest of Yates. He insisted that he appeared as solicitor with the consent of Peter W. Yates, but that gentleman denied the consent.

Mr. Yates excepted to the issuing of the order for an arrest; he insisted that the charge against him was a crime; that the Court of Chancery had no criminal jurisdiction; that whether he was guilty or not was a question which the consti-

tution provided should be tried by a jury. But the Chancellor took a different view of the case. Mr. Yates was denied bail, and sent a prisoner to the old Albany jail.

He was highly popular with the people, and his imprisonment caused great excitement. He was a proud, high-minded man, inflexible in his purposes, ardent in carrying them into execution, and he determined to contest what he deemed to be the high-handed course of the Chancellor toward him, and he carried his determination with unequalled earnestness into effect. He retained Thomas Addis Emmet as his counsel, who applied to Judge Spencer for a writ of *habeas corpus* for the release of his client from imprisonment, which was granted, and, after a full hearing, Mr. Yates was discharged. Whereupon, by order of the Chancellor, Mr. Yates was re-committed to prison, on the ground that the Supreme Court had no right to interfere with the proceedings of the Court of Chancery. The General Term of the Supreme Court opened about that time at Albany, and Mr. Emmet immediately moved in open court for another writ of *habeas corpus* to bring before it the body of Mr. Yates. He was brought before the court, and after a full argument the first and second arrests of Yates were sustained, and he was remanded to prison. The case was immediately removed to the Court for the Correction of Errors, the Chancellor using every effort to prevent the allowance of the writ; but he was defeated and the case was brought to argument in that court. A judgment of the court was finally rendered, declaring the arrest of Yates illegal and directing his discharge. Soon after being remanded to jail he obtained bail. The case will be found in 6 Johnson's Reports, 335. Yates immediately brought an action against Lansing for false imprisonment, and another long legal contest ensued, in which the Chancellor succeeded on the ground that he was not liable, as he acted in a judicial capacity.

Mr. Yates was afterward appointed by the Legislature to add notes, references and succinct matters touching the laws under our colonial government to the revised laws of New York of 1813—a duty which he discharged with singular ability and success.

He was afterward the recipient of many distinguished official positions.

Mr. Yates was a valuable contributor to the literature of his country, and until a short time previous to his death the productions of his pen added largely to his own honor and to that of the city in which he lived. He died in Albany, January 10, 1839, aged sixty years.

#### MARTIN VAN BUREN.

MARTIN VAN BUREN was born in Kinderhook, then in the County of Albany, now Columbia, December 5, 1782. In his boyhood he exhibited a love of knowledge, a fondness for books, "a quickness of apprehension, a shrewdness of observation; but the limited means of his father denied him the advantages for an education, except those taught in a common school." He soon mastered

all the branches taught in that humble institution of learning, and became a teacher in the common schools. In this occupation he acquired the means of defraying the expenses of an education at the Kinderhook Academy for two or three years. In this institution he acquired an excellent English education and became a very fine Latin scholar.

"As a student," says one of his biographers, "young Van Buren was distinguished not only for his industry and application, but for his unwillingness to take anything upon trust, and his consequent habit of investigation and reflection. He was fond, too, of argumentative discussions; he had never studied dialectics as taught in the schools and knew but little about Aristotle or Locke, yet he was a natural logician, and handled the weapons of those whose very names he was ignorant with great skill and ability. He was ambitious to surpass his companions in extemporaneous speaking and English composition; many were the encomiums he received for his excellence in these branches."

Mr. Van Buren, like Ben Jonson, who pursued his classical studies with a trowel in his hand, was always a student; always found time, especially in his earlier years, to devote to classical studies. A desire to become a lawyer by profession was his early ambition, so strongly indulged that he began his legal studies at the early age of fourteen. His preceptor was Francis Sylvester, Esq., a leading member of the Bar. He pursued his legal studies with unwearied diligence and much success. At the age of eighteen he began to try causes in justices' courts, those tribunals which afford the legal student such a field for improvement in public speaking, in examining witnesses, in arranging testimony and in sharpening the perceptive faculties. He soon became famous as an advocate in these courts, acquiring a large and lucrative practice therein. He often met as opponents the leading members of the Columbia Bar, whose respect he gained by the exhibition of his rare abilities, his courteous and high-toned bearing.

While a student he was an active politician and gave his allegiance to the Democratic party. His regard and admiration of Thomas Jefferson were almost unbounded. In the great contest between Adams and Jefferson, he advocated and defended the Republican principles with much ardor and ability. Though yet in his teens, he addressed Republican gatherings, wrote resolutions, memorials and pamphlets. In the autumn of 1800, when only eighteen years of age, he represented the Democrats of his native town in a Congressional convention. Mr. Van Buren completed the last year of his studies in the office of William P. Van Ness, of the City of New York, one of the brilliant lights of the Bar, and subsequently one of the justices of the Supreme Court of the United States for the Southern District of New York. At a term of the Supreme Court of the State, held at Albany, October, 1803, Martin Van Buren was called to the Bar. After remaining in Albany a few months he returned to Kinderhook and actively began his professional career. The Columbia County Bar at this time was one of the strongest and most brilliant

in the State. Here William W. Van Ness, Elisha Williams, Thomas P. Grosvenor and Jacob Rustin Van Rensselaer, all of them prominent Federalists and distinguished lawyers and politicians, seemed to stand in the way of Mr. Van Buren's professional and political advancement.

He was a Democrat; they were Federalists. They belonged to the aristocratic families of the county and State; Van Buren to the humbler ranks of life. They were wealthy and powerful; Van Buren was poor, with nothing to rely upon but his own energy and talents; these, it seems, were sufficient; with them he won his way to distinction, triumphing over his powerful and disdainful rivals. His business increased, his clientage daily became more numerous and influential, and it was not long before he became the acknowledged leader of the Columbia Bar.

In the meantime he was as active, energetic and powerful in politics as he was in his profession. Space will not permit us to enter into any description of his splendid and eventful career; but from 1808 to 1837 the history of that career is the political history of the State; at least, that history could not be perfectly written with the career of Martin Van Buren omitted.

On the 20th of March, 1808, he was appointed Surrogate of the County of Columbia. The manner in which he discharged the duties of this office largely enhanced his professional reputation. About this time he removed to Hudson, a measure which contributed largely to his advantage. At this time Elisha Williams, undoubtedly the most gifted and eloquent lawyer of his time, whose magnificent oratory rendered him famous at the American Bar, was a resident of Hudson. Martin Van Buren soon became the rival of this great lawyer. In order to grapple with his formidable opponent Van Buren was compelled to submit to the most intense study; when the day's work was ended, after a little rest, he retired to his study and gave himself to his books with such deep application that frequently the dawning day paled the light of his lamp. In this way he successfully armed himself to meet his antagonist in the arena he had entered.

His great success at the bar, his acknowledged abilities as a politician, soon led him to that legislative career which gradually advanced him to the most exalted position in the nation. In 1812 he was nominated by the Democrats of the Middle Senatorial District, of which Columbia County was a part, as their candidate for State Senator. He was opposed by a no less distinguished opponent than Edward P. Livingston, then a member of the State Senate. Mr. Livingston was a Democrat; but there was something in his connection with the Bank of America which rendered his nomination distasteful to the Democrats, or a large majority of them, and they refused to renominate him, preferring Van Buren. Nevertheless he received the nomination, and received the support of the entire Federal party, together with the friends of Gov. Lewis. This was a powerful combination, but Van Buren overthrew it, after a

desperate struggle; but his majority was only two hundred in a poll of over 25,000.

He entered the State Senate at an extra session, November 3, 1812, and became the leader of his party in that branch of the Legislature. From this time he remained almost constantly in public life down to the time of his retirement from the Presidential chair.

In the spring of 1816 he was re-elected to the Senate, and shortly afterward became a resident of the City of Albany. This removal became necessary on account of the great increase of his professional business, and to give him greater facilities for discharging his official duties.

In 1817 Benjamin F. Butler, his distinguished pupil, who reflected so much honor upon his preceptor, became his law partner, forming one of the most influential legal firms in the State.

On February 6, 1821, Mr. Van Buren was elected by the Legislature a Senator in Congress. This caused him to partially withdraw from his practice, leaving his large business to Mr. Butler. He was occasionally employed in very important cases, among which were the cases of *Wilkes vs. Lyon*, argued in the Court for the Correction of Errors in 1823, and that of *Varick vs. Johnson*, argued in the same court in 1828; reported in 2 Cowan, 338; 2 Wendell, 166. These cases have always been read by the lawyer and the student with great interest and profit. The arguments of Mr. Van Buren appear at length in them. The briefs were prepared by Mr. Butler.

Mr. Van Buren appeared for the last time before a jury in the trial of the Astor case, and that of the Sailor's Snug Harbor, in the fall of 1827. His speech in the State Senate on the disputed accounts of Gov. Tompkins—the last he ever delivered in that body—was a memorable and magnificent production.

The Constitutional Convention of 1821 was composed of the ablest men connected with the great political parties in New York. Among them were James Kent, Rufus King, Ambrose Spencer, Abraham Van Vechten, Elisha Williams and Peter R. Livingston. Foremost among these was Martin Van Buren. He took part in all the important discussions, and established the claim of his friends that he was a high-minded, gifted, eloquent and independent statesman. In his speeches there was none of that *ad captandum* eloquence calculated to touch the passions of the multitude; they were the offsprings of research, of an enlarged and liberal mind, with statesman-like views. In the Senate of the United States, then composed of the ablest and most illustrious statesmen of the nation, Mr. Van Buren took a commanding position.

He was early committed against the policy of distribution of the public lands, subsequently advocated with so much zeal and ability by Mr. Clay. He was never friendly to a high protective tariff, but voted for the tariff of 1824, though not entirely satisfied with all its details. He delighted to repeat the witty remark of John Randolph concerning the tariff movement of 1827-8, which he regarded

almost wholly of a political character. "That tariff," said Mr. Randolph, "does not refer to manufactories of any sort or kind, except to the manufacture of a President of the United States."

After the death of Mr. Clinton, in February, 1828, Mr. Van Buren became Governor of the State, but on being appointed Secretary of State under President Jackson, he resigned the Governorship. This event took place March 12, 1829.

He subsequently became Vice-President of the United States, and at a Democratic National Convention held at Baltimore in May, 1835, he was unanimously nominated a candidate for President of the United States. Col. Richard M. Johnson was nominated for Vice-President. Mr. Van Buren was inaugurated on the 4th of March, 1837, and entered upon the duties of his great office.

The subject of the abolition of slavery constituted an important feature in his inaugural address; the agitation of this great question had begun in the year 1834-5 in the Northern States. Mr. Van Buren and his friends strongly opposed the movement. Though he brought to the office much ability as a statesman, the highest and most conscientious patriotism, there were many unfortunate circumstances that tended to render his administration in a measure unpopular. We cannot say that at this time his opposition to the anti-slavery question injured him as much as has been alleged. The measure had not then been far enough advanced in a political sense to have a bearing upon his administration. What tended most to injure it was the terrible revulsion, or financial crisis, which prostrated the industry and commercial interests of the nation. The Whig party adroitly took advantage of this unfortunate state of things and attributed the financial depression of the country to the policy of Mr. Van Buren's administration. This resulted in his defeat for re-election in 1840 and the elevation of Gen. Harrison. He retired from the Presidential chair to private life. His nomination by a wing of the Democratic party at Buffalo in 1848, and his defeat, are events too well known to need any description here.

#### BENJAMIN F. BUTLER.

BENJAMIN F. BUTLER, an historic name in the State and Nation, a lawyer of the highest ability, a scholar of rare endowments, and a citizen of great purity of character, was born at Kinderhook, in the County of Columbia, December 17, 1795. His father was a merchant at that place; a man of strict integrity, industrious in his vocation, and honorable in his relations to the society in which he lived.

The early years of young Butler were passed in attending a common district school and in assisting his father in his store. He was a boy of respectful manners and an intellectual turn of mind. While engaged in the store, he became a favorite of a learned and distinguished Presbyterian clergyman, who resided near his father; from this gentleman he received his first knowledge of books and the rudiments of a classical education. At the age of fourteen, Benjamin, already far

advanced in his studies, was sent to Hudson Academy, where he remained several years, an energetic and successful student. When his academic course was ended, he entered the office of Martin Van Buren, then a young lawyer who had been at the Bar but a few years, but who was regarded as a young man of great promise, and who had already secured a respectable position at the Columbia Bar. This was in the year 1812. In the year 1816 Mr. Van Buren removed to Albany, where he entered upon his extraordinary official career. Young Butler accompanied him. In 1818 Mr. Butler was called to the Bar, and immediately became the partner of Mr. Van Buren, a relation which existed until February, 1821, when Mr. Van Buren was appointed a Senator in Congress. In 1827 Mr. Butler was united in marriage to Miss Allen, a young lady of many accomplishments and many mental and personal attractions. She was a sister of the gallant Lieutenant William H. Allen, who distinguished himself in the engagement between the frigate "United States" and the British ship-of-war "Macedonia," in 1812, and who was afterward killed by pirates in the Gulf of Mexico.

The firm of Van Buren & Butler was the most distinguished legal firm in the State. The senior member stood at the head of the State Bar, and his practice at the United States Supreme Court and his position as a Senator in Congress gave him a national reputation.

Mr. Butler, with his unwearied industry, tenacious memory and active intellect, followed rapidly in the footsteps of his preceptor and former partner.

Among the important cases which, by Mr. Van Buren's retirement from the firm, were left for Mr. Butler to conduct, were *Wilkes vs. Lyon* and *Varick vs. Johnson*. These cases attracted great attention throughout the State, and for a considerable time occupied the attention of the Court for the Correction of Errors.

The labor necessary to their preparation for argument was immense; but Mr. Butler brought to the task that industry and research for which he was so distinguished. After several weeks of labor he placed in the hands of Mr. Van Buren a thoroughly arranged, exhaustive and perfect brief. Mr. Van Buren argued the cases, assisted by Mr. Butler.

For two years after his admission to the Bar Mr. Butler confined himself to the Circuit Courts, attaining a highly respectable reputation as a jury lawyer. He first appeared in a General Term of the Supreme Court in October, 1820, when he argued the case of the *People vs. Foote*; his opponent was the late Thos. J. Oakley, who then ranked among the great lawyers of the State. Soon after this, he argued, in the same court, the celebrated case of the *President and Directors of the Bank of Auburn vs. Blanchard et al.*; his opponent was Daniel Cady, an illustrious character in the legal history of the State.

One of Mr. Butler's first cases in the Court for the Correction of Errors was that of *Manaham vs. Gibson*—a case of historic importance. The opposing counsel was that giant of the Bar, J. V.

Henry. In the celebrated case of *Troup vs. Smith*, and that of *Morton vs. Cragan*, Mr. Butler was associated with Samuel A. Talcott, one of the brilliant ornaments of the New York State Bar.

Mr. Butler appeared so often in the Supreme Court that a history of his cases he conducted in that court would fill several volumes.

On February 19, 1821, he was appointed District Attorney of Albany County, discharging the duties of this office till January, 1825, when he was succeeded by Edward Livingston.

Though the labors of this office were heavy, and for one so young its responsibilities great, Mr. Butler's success was in proportion to his labor, and he retired from the office with the well-earned commendations of the public. Before his official term expired, a law was passed by the Legislature of 1824, appointing Chancellor Kent, Erastus Root and Benjamin F. Butler commissioners to revise the laws of the State; but these gentlemen did not enter upon the duties thus assigned them, as the Legislature of 1825 passed an act by which Mr. Butler, John Duer and Henry Wheaton were made commissioners to revise the statute laws. Not long after the passage of this act, Mr. Wheaton was appointed *charge d'affaires* to the Court of Berlin, and John C. Spencer was appointed in his place.

As was said by a distinguished member of the Bar, "the selection of Mr. Butler, who had then so recently commenced his practice, for a position so high and responsible, carried with it the evidence of the high estimation in which he was held by the Legislature. It was an undertaking of great hazard to his professional reputation, as well as an immense labor. It involved for a time the entire sacrifice of his business, as he was obliged to devote his time almost exclusively to that business. He undertook it, and, notwithstanding the prejudices it at first encountered, it was carried to a successful termination."

In the language of Judge Kent, "All who knew the indomitable energy of John C. Spencer will naturally believe that his spirit pervaded the whole work; but, judging from internal evidence, I cannot avoid believing that much of the essential excellence of the Revised Statutes, and more of the labor which adapted them to our general system of jurisprudence—the plan and order of the work, the learning of the notes, the marginal references, and the admirable index which accompanies it—should be ascribed to the labor, the patient touches of unwearied art, bestowed by Mr. Butler. The statutes, however, reveal the learning, skill, labor and ability of each of their great authors."

Three years later a new edition of the statutes was deemed necessary, and the revisers were once more called to the work of revision. The whole existing statute laws of a general nature, all the acts of the Legislature passed since the year 1825, were carefully examined; the statutes themselves critically reviewed and re-arranged, with annotations and references made by the Supreme Court, the Court of Chancery and the Court for the Correction of Errors.

This new edition was reported to the Legislature at its annual session in the winter of 1836, and by appropriate acts was passed as the Statutes of the State of New York. Other editions have succeeded it, embracing acts since passed. They are voluminous but indispensable works in the library of a practicing lawyer.

Mr. Butler was elected a member of the Legislature of 1828, and left on its records indubitable evidence of his ability as a legislator.

In 1833 Mr. Butler was appointed commissioner, with Theodore Frelinghuysen, to settle the long-disputed boundary line between New York and New Jersey, and brought this difficult question to a highly satisfactory adjustment. In the autumn of 1833, before the labors of the New Jersey commission were terminated, Mr. Butler was appointed Attorney-General of the United States, in place of Roger B. Taney, appointed Chief Justice of the United States. A few days before Mr. Butler's departure for Washington to enter upon the duties of his office, the citizens of Albany, without distinction of party, assembled and publicly expressed their regard for his virtues as a citizen and their admiration of his talents as a lawyer. Among those who addressed the meeting were Stephen Van Rensselaer, Abraham Van Vechten and Harmanus Bleeker.

In October, 1836, while discharging his duties as Attorney-General, Mr. Butler was appointed Secretary of War in the Cabinet of President Jackson. He discharged the duties of the two offices until the 4th of March, 1837. In the Department of War there was at this time a large accumulation of business, owing to the Seminole war; but Mr. Butler, by his assiduity and systematic method, brought up the arrears of business, and left the department in a satisfactory state to his illustrious successor, Felix Grundy, of Tennessee.

The legal opinions rendered by Mr. Butler while Attorney-General are still read and admired for their profundity in substance, their perfection in diction; they are also established as reliable precedents.

On the 4th of March, 1837, President Van Buren entered upon the duties of his administration. Mr. Butler continued to discharge the duties of Attorney-General until January, 1838, when he resigned and returned to the practice of his profession. Within a few months, however, the office of United States District Attorney for the Southern District of New York became vacant, and Mr. Butler was appointed to fill that office. He discharged these duties until the inauguration of President Harrison, when he resigned. When President Polk assumed the executive chair he tendered Mr. Butler the office of Secretary of War, but the offer was respectfully declined for reasons which were entirely satisfactory to the President. Not long after, however, the President tendered to Mr. Butler the office of United States District Attorney for the Southern District. This position Mr. Butler did not hesitate to accept, as it did not interfere with the duties of his profession. He discharged these official duties until after the election of Gen. Taylor, when he

was removed for political reasons. In the meantime Mr. Butler had become a citizen of the City of New York.

In the summer of 1856 he made a visit to England, but returned very soon to complete a professional engagement of great importance. This was the great case of *Levit vs. Curtis*, which had been before the court for a long time, and was then pending in the Court of Appeals. He was compelled to terminate his European tour in order to conduct the argument of the case at a term of the court then approaching.

In 1835 the Council of the University of the City of New York having decided to establish a faculty of law in that institution, Mr. Butler was requested to prepare a plan for its organization. He complied with the request, and on the 29th day of May, 1835, submitted to Rev. J. N. Mathews, then Chancellor of the University, a document entitled "A Plan for the Organization of a Law Faculty and for a System of Instruction in Legal Science in the University of the City of New York." His plan was warmly approved by the Council and promptly accepted by the most flattering resolutions.

Mr. Butler continued to devote his entire energies to the duties of his profession; but it was apparent to his friends that his health was rapidly failing, and they prevailed upon him to visit Europe again. Accordingly, in October, 1868, he embarked on the steamer *Arago*, bound for Havre, intending to remain abroad two years. On the 29th of October he landed at Havre. He visited Harfleur and Rouen, and on the 3d of November he arrived at Paris. The next day he wrote a long and interesting letter to his son, William Allen Butler, Esq. In the evening of that day he was taken ill, and his disease rapidly progressed, and finally, on the 8th of November, his earthly career ended.

#### GREENE C. BRONSON.

Among the illustrious legists whose names embellish the roll of lawyers of Albany County is Greene C. Bronson, who for twenty years and upward was a gifted and successful contestant at the Albany Bar.

He was born at Utica, Oneida County, N. Y., in 1789. He began his practice at Utica about the year 1815; he early developed a peculiarly strong judicial mind and method, in recognition of which he was, on April 13, 1819, appointed Surrogate of Oneida County. He discharged the duties of this office for two years with singular ability. In the fall of 1822 he was elected member of Assembly from Oneida County, and was honored by the position as chairman of the Judiciary Committee. The next year he was tendered a renomination, but declined, and devoted himself to his profession.

On February 27, 1829, he was appointed Attorney-General of the State, the successor of Samuel A. Talcott, universally acknowledged one of the greatest of American lawyers. Mr. Bronson discharged the duties of this office till January 12, 1836, when he was appointed one of the Justices of

the Supreme Court. We should have said that about the time he was appointed Attorney-General he removed to Albany, where he resided over twenty successive years.

On March 5, 1845, he was appointed Chief Justice of the State, in place of Hon. Samuel Nelson, appointed a Justice of the Supreme Court of the United States. Few members of the American Bench rank higher than Judge Bronson; the opinions written by him always command the respect and admiration of the student and the practitioner; the ingenuity and exactness with which they are written, their polemical strength and the extent of their erudition, are hardly equaled by those of any other judge. He occupied the Bench as Chief Justice two years, when he resigned, and was succeeded by Samuel Beardsley, the last of the Chief Justices under the Constitution of 1821.

In 1853 he was appointed Collector of the Port of New York, and removed from Albany to that city. In 1859 he was Corporation Counsel for the City of New York, serving until 1863, when he retired to private life.

In politics Judge Bronson was a Democrat, and during the divisions of the Democratic party into Hard Shell and Soft Shell factions, he was the leader of the Hard Shell wing. Some of his speeches delivered in defense of his position created marked attention throughout the nation for the skill of their argument, the beauty and strength of their diction, and, more than all, for their boldness, and, as the opposition journals termed, for their audacity.

Judge Bronson died in the City of New York, September 3, 1863.

#### MARCUS T. REYNOLDS.

During a period of twenty-six years Marcus T. Reynolds was one of the leading members of the Albany Bar. The history of his career during that time is the history of the Supreme Court, Court for the Correction of Errors and the Court of Appeals. For ten years previous to that time he often appeared in the different courts that held their sittings in Albany; an examination of the reports of the cases argued in the Appellate Courts of the State from 1817 to 1853 shows that Mr. Reynolds represented more cases adjudicated in the Supreme Court and Court of Errors than almost any other lawyer in the State.

He was born at Florida, Montgomery County, N. Y., December 22, 1788. When he was ten years of age he was placed in a high school at Canajoharie, where he remained three years. Leaving Canajoharie, he entered a collegiate school at Utica, where he was fitted for college. In 1805 he entered Union College, from whence, in 1808, he was graduated, standing second in his class.

While in college he developed those polemical and elocutionary talents, that keen and sparkling wit, which distinguished him as an advocate. Having graduated, he began the study of law in the office of that truly great lawyer, Matthias B. Hildreth, of Johnstown, N. Y. Mr. Hildreth was for several years Attorney-General of the State.

Young Reynolds was a particular favorite with his learned preceptor, who spared no pains in advancing his student in acquiring that knowledge necessary for a profound and successful lawyer. On October 12, 1811, Reynolds was called to the Bar. About this time Addison Gardner, Samuel Stevens, John A. Collier, Charles O'Connor, William H. Seward, Ogden Hoffman and Alonzo C. Page were called to the Bar.

Mr. Reynolds began his practice at Johnstown, N. Y.; here he was compelled to contend with Daniel Cady, of whom it may be said he was a gladiator in the legal arena of uncommon prowess. Other eminent lawyers became the antagonists of Mr. Reynolds, and in contending with legal giants he rapidly grew to be one himself.

He continued to practice at Johnstown until 1828, when he removed to Albany, where he spent the remainder of his life, and where he retained that position which has given him an undying fame in the legal history of the State.

The legal speeches of Mr. Reynolds were natural, easy, replete with argument, never too artificial, and *recherche*. His gestures were very few, generally with his right arm and forefinger, occasionally dropping the palm of his left hand upon the table, if one was before him; if not, he balanced it before him in an easy, natural manner.

He had the faculty of passing from "grave to gay, from lively to severe," with surprising facility. This is illustrated by his arguments in cases like *Mabee vs. Peck*, and cases like *The People vs. Lamprey*. So widely did these intellectual efforts differ from each other that a stranger would naturally have believed them to be the productions of different minds. The former case involved the consideration of mere abstract questions of law, and his argument abounded in nothing but reason, relieved by no lucid narration—no appeal to the feelings—no address to the imagination, and yet it was an intellectual triumph; those who listened to him could hardly think it possible for a feeling of pathos, sympathy or pleasantry ever to enter his bosom, so thoroughly prosaic was his speech. Lamprey was tried for the murder of his own nephew. There were many circumstances in the case which appealed strongly to sympathy, and Mr. Reynolds interposed a powerful and successful defense, founded not only upon the facts, but upon grave and intricate questions of law. His address to the jury was an inimitable specimen of legal oratory. It was often enlivened by momentary displays of wit and humor; it abounded in exquisitely wrought passages, in which pathos and argument were interlarded. Even on the discussion of the legal questions in this case, "he cast the playful hues of his fancy;" so that it was difficult to determine whether at the bar he was the giant or magician—Briareus or Prospero.

He carried his cases by being thoroughly imbued with them himself, and then, by a clear and well-defined statement to court and jury, imparting the impression that he had no doubt of the right of his case. Before a jury he had a sort of magnetic power,

by which he photographed his own ideas and reasons upon the minds of the jury.

Many years before his death he was thrown from a horse; the fall produced an injury to one of his knee-pans of such a serious character that amputation became necessary. Immediately after the accident he was taken into a store, and the wound was examined by one of the most skillful surgeons in Albany, who became convinced that amputation must inevitably follow, and he so informed the sufferer, stating further that perhaps it had better be done on the following day.

"I wish you to proceed instantly. I cannot have the matter upon my mind," said Reynolds. The surgeon obeyed. This was before chloroform was used by surgeons, but Mr. Reynolds submitted to the operation without a groan. After the loss of his leg he generally conducted his causes sitting.

In person he was slightly above the ordinary stature; his frame was slender, but well proportioned; in his earlier years his form was more athletic. His face was thin; his high forehead evinced intellectual power; he lived a life of devotion to his profession, never seeking or holding public office. Simple and retired in his tastes and habits, a warm and generous friend, an open and manly adversary. Many of the religious, charitable and literary institutions of Albany are indebted to him for pecuniary aid and valuable assistance. For many years he was a member of St. Peter's Church, and for a long time one of the vestry.

In his social relations, Mr. Reynolds possessed those qualities which accompany a refined and sensitive mind, causing him to be greatly beloved in the sacred circle of home.

He died on the 13th of July, 1864, in the seventy-seventh year of his age.

Ten years previous to his death, owing to ill health, he retired from the Bar, and nearly withdrew from former associations and society. At last his splendid intellect vanished, and his last years were passed in mental darkness.

#### SAMUEL STEVENS.

It would be impossible to give a history of the Bar of Albany without some description of Gen. Samuel Stevens. From the year 1837 down to the adoption of the Code of Procedure Samuel Stevens, Marcus T. Reynolds and Nicholas Hill were, perhaps, three of the most prominent lawyers in the State. They were constantly engaged in the principal courts, often on the same side, but more frequently opposed to each other.

Gen. Stevens was a lawyer of rare accomplishments, an advocate of great power. Like Ogden Hoffman, he contrived to give interest to a dry detail of facts by a happy adaptation of his mind to them; he could, on the instant, select from a variety of matters those which would make the best appearance and be least exposed to observation and to answer. "He could estimate the probable case which was hid in his adversary's brief, and prepare his own to elude its force." As a speaker he was as effective before the court as either Hill or Reynolds; as a jury lawyer he was more successful

than the former, because he was more emotional, more vivacious and more vehement. His gesticulation was active and frequent, and he often illustrated his argument with a humorous story which contained force and point; his good nature always prevailed at the Bar, accompanied by an incisive wit ever at his command, ever agreeable, because it never descended to offensive satire. In his manner he was what might be called free and easy; like Martin Grover, when at the Bar, his mouth was always occupied by a quid of tobacco, by no means infinitesimal in size. He was popular with the people, and thus he had one quality of the successful politician. He was first known to the political world as one of the ablest and most eloquent supporters of DeWitt Clinton in the State.

In 1825 he represented his native county, Washington, in the Assembly, and although one of its youngest members, he was regarded as the leader of the Clintonian party in that body. In 1827 he was again elected to the Assembly. In February of that year he delivered a speech in the House on that part of the Governor's Message which referred to internal improvements. This speech gave him a State reputation as an ingenious reasoner and an accomplished legislative debater. He afterward identified himself with the Whig party, and in the Legislative Caucus held in February, 1839, was strongly sustained for candidate for Attorney-General; Willis Hall, of New York, was, however, the successful candidate, on a vote of 45 to 42. He was never again before the public for any civil office, excepting once when he was nominated for Lieutenant-Governor.

In personal appearance Gen. Stevens differed materially from both Hill and Reynolds; he was short, thickset, tending to corpulency; his eyelids were always partly closed, as though they were affected by the light. He was of nervous temperament, active, energetic and restless.

The names of Hill, Reynolds and Stevens are strongly associated together; at the Albany Bar there was scarcely a case of importance tried in which one of the three did not appear as counsel.

Gen. Stevens was not so long identified with the Albany Bar as Hill and Reynolds, but he has left on its history a name and fame of which this Bar may be justly proud.

He was for a time a partner of James Edwards, Esq., a distinguished member of the Albany Bar, and afterward he was the law partner of Peter Cagger, under the firm name of Stevens & Cagger, which became one of the most powerful in the State, and continued for several years.

#### JOHN C. SPENCER.

JOHN C. SPENCER, ranking among the ablest of American lawyers, was for many years a member of the Albany Bar. Here he achieved his greatest legal and political triumphs. His name is not only identified with the legal but with the political history of the State.

The political career of De Witt Clinton is largely blended with that of John C. Spencer.

He was born at Hudson, N. Y., August 12, 1786; he was a son of Ambrose Spencer, to whom we have often referred in this work. From his earliest years he was accustomed to the society of distinguished, learned and gifted men. His first knowledge of politics was drawn from witnessing the contest of our great American politicians who flourished in the early part of the present century. He saw how causes were tried by witnessing the legal contests of Hamilton, Burr, Hoffman, Emmet and other great lawyers.

He prepared for college at Hudson Academy, and entered Union College in 1799. During his collegiate course a friendship began between himself and Dr. Nott—afterward for many years the distinguished president of that college—which warmed as it ripened, and continued until the death of Mr. Spencer.

As a student young Spencer was distinguished for close and thorough application to his studies, for the same thoughtful reserve, the same dignified reticence, which marked his character as a lawyer, legislator and cabinet minister.

In July, 1803, at the age of seventeen, Spencer graduated with scholarly honors exceedingly gratifying to all his friends. On leaving college he began the study of law with his distinguished father. In July, 1809, he was called to the Bar; very soon after this he was united in marriage to a daughter of James Scott Smith, a highly respected citizen of New York City. Miss Smith was a lady of rare accomplishments, with that high cast of character which eminently qualified her for the wife of John C. Spencer. At this time Western New York, though mostly a wilderness, was attracting the attention of the enterprising and intelligent people of the eastern and southern parts of the State. The beauty of its scenery, embellished by lakes, rivers and hills, with their grand old forests, and its prospects for speedy settlement and future greatness, were vividly portrayed by tourists.

Among those who decided to emigrate to that country was Mr. Spencer, and in September, 1809, he became a resident of Canandaigua. With a few law books and fifteen dollars in money he began that professional career which has rendered his name memorable in the State and nation.

He used to describe, in a pleasing manner, the first dinner of which he and his wife partook in their "own hired house" at Canandaigua.

"Our meal was served on a plain kitchen table. I was seated on a cheap, old-fashioned chair—the only one we boasted of—and Mrs. Spencer occupied a common wooden stool. But everything on the table, though simple, was nicely cooked, and we enjoyed our meal with a relish never equaled at the more sumptuous repasts of our more prosperous days."

In 1809 Ontario County embraced within its limits all that territory included within the Counties of Yates and Wayne, together with all that part of Monroe and Livingston lying east of the Genesee River. After Mr. Spencer became a resident of Western New York the population rapidly increased, and its great agricultural and other ad-

vantages developed to a surprising degree. The Ontario Bar became one of the most eminent in the State, at the head of which Mr. Spencer always stood.

In February, 1818, he was appointed by Gov. Tompkins Prosecuting, or District, Attorney for the five western counties of the State. It was a position of great responsibility and labor, but he discharged his duties with great alacrity and success. In the spring of 1817 he was elected a representative in Congress, taking his seat in that body December 1, 1817, remaining in the House during its fifteenth session. While in Congress he received the nomination for United States Senator by the Clintonian members of the Legislature. Col. Samuel Young and Rufus King were his opponents. He received 64 votes, Col. Young 57; but Mr. King was elected. For a politician as young as Mr. Spencer then—only twenty-eight years of age—this development of strength was exceedingly flattering to him. In the autumn of 1819 he was elected member of Assembly, and when the Legislature convened on January 2, 1820, Mr. Spencer was chosen Speaker. He was re-elected in the fall of 1821, and again a candidate for Speaker, but was defeated by a few votes. He was elected to the Legislatures of 1831 and 1833.

Mr. Spencer represented the old Seventh Senatorial District in the State Senate from 1825 to the close of the year 1828. He left the impressions of his great learning and genius on the records of both branches of the Legislature of this State, and many enactments of importance which make a prominent part of our legal structure owe their existence to his learning and genius.

In 1826 the abduction of Morgan created an unparalleled excitement in the State. To secure the conviction of the abductors the great abilities of Spencer were invoked, and he was appointed by Gov. Van Buren a special public prosecutor for that occasion.

But so skillfully and so secretly was the crime committed that all efforts of Mr. Spencer, aided by the power of the State, failed to bring the culprits to justice, and the mystery which hung over the affair at that time rests upon it now. Out of it grew the Anti-Masonic party, the foundations of which were laid by Thurlow Weed, William H. Seward, John C. Spencer, Frederick Whittlesy, Bates Cook and others. For a time it was very powerful, particularly in the western part of the State. It was short-lived, however, and soon withered away, or, rather, was absorbed by the Whig party, which was founded on broader principles of State polity.

Mr. Spencer, with Seward, Weed and others, became leaders of the Whig party.

In the autumn of 1836 he removed from Canandaigua to Albany, where he resided the remainder of his life. He aided materially in the election of Gen. Harrison, who died very soon after assuming the executive chair. John Tyler, who succeeded him, appointed Mr. Spencer his Secretary of War, and though the Whig party dissolved all connection with Tyler, Spencer continued to

adhere to him through his administration. He advocated the election of Gen. Taylor and the election of Gen. Scott. After the Presidential election of 1852 he never mingled in politics. This, in brief, was the career of John C. Spencer as a politician; the history of his legal career would fill volumes. A distinguished part of his legal work was in the part he took as one of the revisers of the New York Statutes. Gov. Clinton died on February 28, 1828. Before his death he appointed commissioners for the revision of the Statutes; they were John C. Spencer, John Duer and Benjamin F. Butler. These gentlemen were selected for their high standing as lawyers, regarded, as they were, as the most learned of the profession in the State. The successful manner in which they discharged their duty is too well known to need comment here. The Revised Statutes of the State of New York are grand and enduring monuments of the genius, the learning, the purity and wisdom of John C. Spencer, John Duer and Benjamin F. Butler. Though, through the innovation of subsequent law-makers and codifiers, many of their sections have been repealed, yet many remain, indispensable to the practicing lawyer.

In 1849 he was appointed one of the codifying commissioners, but to the great regret of the judiciary, the profession and the public he declined the appointment and retired to private life.

Few men were more beloved in Albany than Mr. Spencer; its public interests seemed to be his interest, and his relations to its society were of the most pleasing nature. To his efforts the Albany Hospital owes, in a measure, its existence. As was said by a distinguished citizen of Albany, speaking of the hospital, "Its interests and welfare never ceased to occupy his mind; and I have no doubt his agency in its foundation was a rich consolation on his bed of death."

The State Asylum for Idiots is another institution which owes much to his influence and generosity. In many other benignant and public matters his name is honorably identified. He continued the dispenser of charities, public and private, until his death.

About the middle of May, 1854, he visited the City of New York, being then an invalid. While there his disease took a more violent and dangerous turn, which rendered it apparent that the life of the great statesman and lawyer was about to close. He lingered until about the 20th of May, when he quietly and peacefully passed away. He was then in the sixty-eighth year of his age.

In the lovely cemetery of Albany, among all the beautiful and artistic monuments which embellish it, speaking its silent language of respect for the dead, none is oftener visited, none elicits more veneration, or brings up historic associations more vividly, than the shaft which commemorates the spot where repose the remains of John C. Spencer.

#### JAMES EDWARDS.

Mr. JAMES EDWARDS was a member of the Albany Bar, whose professional acquirements,

scholarly attainments and high character gave him a State reputation.

He was born in Greenfield, Saratoga, N. Y., December 9, 1799. He removed to Albany in 1816; here he began the study of law in the office of his uncle, Hon. Alfred Foote, at that time one of the most eminent lawyers in Albany. In 1822, at a term of the Supreme Court held in Albany, he was admitted to the Bar, and soon afterward formed a partnership with Gen. Samuel Stevens, whose biography appears in this work. The business of the firm was large and important, extending into very many of the counties of Central and Southern New York.

To use the language of the *Albany Argus*, "Mr. Edwards brought to his practice many admirable qualifications. He was always distinguished for his sound practical judgment, his solid legal attainments, his promptness and accuracy in business, energy, firmness and integrity of character, and conscientious fidelity to the interests of his clients. Among his clients and friends and the citizens of Albany he was always regarded as a most substantial, upright and leading man. He was kind-hearted, true in his friendship, warm and generous in his sympathies, ever open to the appeals of the poor and suffering, and ever seeking to rule his life in accordance with Christian principles. He was a liberal-minded, public-spirited and valuable citizen, always seeking a warm interest in all measures for the promotion of public interests."

Mr. Edwards died suddenly on May 21, 1868, aged sixty-nine years.

#### AZOR TABOR.

AZOR TABOR was born at Knox, in the County of Albany, May 1, 1798. After a careful and thorough classical education he entered the office of John Lansing, Chancellor of the State, where he prepared for the Bar. After his admission to practice he opened an office at Albany. A prosperous and distinguished legal business opened to him, and he pursued a long and honorable career at the Bar. He ranked among the ablest lawyers of the State, discharging the duties of a very large legal practice with fidelity and capacity, which commanded universal approbation.

His chosen profession was his almost exclusive pursuit. From this he was rarely tempted to turn aside. The only position he ever held was State Senator from the Albany district. He was elected in November, 1851; took his seat in the Senate July 6, 1852, closing his Senatorial career December 31, 1854. As a member of the Judiciary Committee—as an occasional debater—he exhibited that power and compass of mind, that extraordinary condensation of language, which rendered him so distinguished at the Bar. But as his ambition was confined to his profession, he had no taste for legislative honors, and, declining a re-nomination, he left the Senate and a most honorable Senatorial record, to pursue without interruption his duties at the Bar.

In April, 1833, he formed a partnership with that

accomplished lawyer and highly esteemed citizen, Amos Dean. This relation was highly advantageous to both parties and continued several years.

In 1854, owing to failing health, he retired from the profession and became a resident of Knox, his native town, where, on June 10, 1855, he died.

As has well been said, "his life was that of an honest, earnest, able man, and he left a memory upon which there is no stain."

In the character of Azor Tabor the strength and vigor of manhood was softened by the gentleness of manners and tastes which belong to and adorn the other sex. We may say without affectation that the history of the Albany Bar is enriched and embellished by his learning, his unostentatious and yet powerful eloquence, and by his virtuous and blameless life.

#### AMOS DEAN.

AMOS DEAN was born at Barnard, Vt., January 16, 1803. Like many other prominent lawyers and jurists of this State, he acquired his early education in the common schools, where he prepared for the great calling of teaching. Engaged in this occupation, he sustained himself while pursuing his academic course preparatory to entering college. He entered Union College in 1823, and graduated from thence in 1826.

At this time his uncle, Jabez D. Hammond, a distinguished lawyer and writer, was in partnership with that illustrious judge, Alfred Conkling.

Mr. Dean began the study of law in their office; he was a diligent student; one of those who delighted in the nice distinctions and the philosophy of the law as a science. Intricate and dry as is the study of law to some, to young Dean it had attractions that amounted to fascination; and so he came to study it as a matter of recreation, blending instruction with delight. Long before his admission he had the gratification of hearing his uncle say: "Amos is a very thoroughly read lawyer already."

He was admitted to practice at the May Term of the Supreme Court in 1829; and went at once assiduously and earnestly to the work of his profession.

For several years, and during the earlier period of his practice, he was associated with Azor Tabor, then recognized as one of the most eminent of the Albany Bar. Says the *Albany Evening Journal*:

"Professor Dean never assumed to attain celebrity as an advocate before juries. While he possessed marked abilities as an orator, which could have been educated to an eminent order by practice, his instincts and tastes led him to another field of industry in his profession. His amiability of disposition, his natural reserve, his kindly nature, his guilelessness and his overflowing charity repelled him from the theatre of professional strife and conflict. He was peculiarly adapted to the duties of the office and the counsel room. Here he became eminent for wisdom, prudence and sagacity. These qualities, added to that higher and nobler one of an unimpeachable integrity, brought to him clients, success and fame.

"Professor Dean was a scholar by education, study and taste. This led him to appreciate the benefits of a popular education, and to aid in its popular advancement. Impelled by such purposes, he conceived, in early manhood, the plan of establishing associations for the mental improvement of young men.

"In 1833 he gathered about him a few young friends of kindred tastes in an office in Albany, and there planted the germ of the "Albany Young Men's Association." From this beginning hundreds of kindred institutions that have since blest the country by their beneficent influences abroad.

"Upon the organization of this association, Mr. Dean was unanimously selected as its first president. By the energy and sagacity of his administration the foundation of that noble edifice of popular education, from which, for so many years, so much moral and intellectual light has been shed upon the youth of our city, and which has been the model for so many like structures in all sections of the Union.

"In 1833 he was associated with Drs. March and Armsby in establishing the *Albany Medical College*; from that time to 1859 he held in it the position of *Professor of Medical Jurisprudence*. When the law department of our university was established Mr. Dean was wisely and appropriately chosen one of its professors. In this sphere, so well adapted to his tastes, his talents shone out most brightly. His pupils, scattered all over the land, bear testimony to the value of his instruction.

"Professor Dean has attained considerable eminence in the field of authorship and literature. In early life he delivered a series of able and interesting lectures on phrenology, a science then in its infancy. These lectures were afterward embodied in a book.

"In early life he was the author of a *Manual of Law*, which proved a valuable aid to business men. He delivered several valuable addresses and lectures upon subjects of public interest. In 1833 he delivered the Annual Address before the Albany Institute. He pronounced a eulogy upon the death of Jesse Buel before the State Agricultural Society, and an Annual Address before the Senate of Union College. But his greatest achievement in literature was not given to the world, because of his death. This was the *History of Civilization*, upon which he had been engaged for several years previous to his death.\*

"His industry, research and ability gave assurance of the merit and attraction of his work.

"We have spoken of Professor Dean only as a professional and public man. If we sought to add panegyric to what we have said, we should speak of his qualities as a man and of his virtues in private life. Herein, if possible, his character was higher and nobler than in any other walk of life.

"To the qualities which we have described he united a pleasing address, a quiet demeanor, a generosity of sentiment and an absence of guile

that endeared him strongly to the circle of his companionship."

Such was the tribute paid to Professor Dean by that eminent journalist of the State, Thurlow Weed. Those who remember Professor Dean—and there are many still in Albany who do—will bear ample testimony to the truth and fitness of Mr. Weed's beautiful sketch of his life.

#### HENRY G. WHEATON.

In the year 1828 Mr. WHEATON graduated with the highest honors at Union College, and immediately commenced the study of law at Albany. At the May term of the Supreme Court he was admitted to practice and opened an office at Albany.

As he had been an ardent, close and appreciative student both in law and in the classics, as he possessed those mental endowments so necessary for a lawyer, he rose rapidly to distinction.

As has been said of Mr. Wheaton by another intimately acquainted with him, "He was accomplished in mind and manners, irreproachable in character and habits, and elevated in aspirations. All who saw him enter upon the battle of life anticipated for him a prosperous, brilliant and honorable career. He married an attractive young lady, descended from one of the oldest and most wealthy families in Albany, and lived in a style becoming his position and prospects. He devoted himself industriously to his profession, of which he soon became an ornament." He took rank with Reynolds, Stevens, Tabor and other leading members of the Albany Bar. By many he was regarded the superior of either of those exceedingly able lawyers, especially before a jury.

He represented Albany County with marked ability in the Legislatures of 1835, 1840 and 1841. We have said he was in the Assembly of 1835. Mr. Wheaton was a candidate for Assembly in the autumn of 1834 for Albany County. His opponent was David G. Seger. The canvass was very close, and each candidate claimed the certificate of election; but it was given to Mr. Wheaton, and he took his seat in the Assembly, January 6, 1835. Mr. Seger, however, contested his seat with such success that on January 9, 1835, Mr. Wheaton was ousted and Seger took his seat. The former and his friends, of which he had many, always insisted that Seger succeeded by partisan influence, and not on the merits of his case. They afterward pointed contemptuously to what they had deemed (but with how much reason we are unable to state) Mr. Seger's humble career as a legislator, in contrast with what Mr. Wheaton would have been, and what it subsequently was.

As we have said, he was elected to the Legislatures of 1840 and 1841, and was regarded as one of the most eloquent and influential members of the House in both of those sessions. Some of his speeches made on its floor are almost unrivaled as specimens of legislative eloquence.

On March 30, 1841, Mr. Wheaton was appointed District Attorney of Albany County. He made a useful and exceedingly able public prosecutor. It was an unfailling custom in those days to

\*Since the death of Professor Dean, his great work, upon which he spent so many years, has been published in seven octavo volumes.

appoint none but the most eminent and successful advocates to the office of District Attorney. It was justly regarded as a most important and responsible position—the people's advocate, compelled, in the discharge of his duties, to oppose the strongest and most gifted of the profession. In the year 1855 the management of a large estate in the City of New York compelled him to take up his residence there. The care of this property and some unfortunate turns it took greatly impaired his health, rendering him despondent.

On August 26, 1865, Mr. Wheaton, in attempting to cross the railroad track near Yorkville, caught one of his feet in what is known as a frog, and was thrown to the ground. Before he could extricate himself an approaching train passed over him, instantly killing him.

### NICHOLAS HILL.

It is said in the *Bench and Bar of New York* that Nicholas Hill, in some of his characteristics, resembled John C. Spencer; they were both men of strong intellectual powers, active, restless men of vast research, vigorous logic, unwearied industry and capable of immense mental labor. Both were wanting in imagination; both were learned, close, critical polemical lawyers. But here the analogy ends; for much of the power which impelled Spencer to action was political ambition; this led him into a career which in a measure subordinated his professional zeal to politics, to divide his great talents and learning between the Bar and the political arena, between the duties of the legislator and the Minister of State.

Mr. Hill, on the contrary, concentrated all his mental powers upon his profession; this gave him a mastery at the bar which few men are capable of attaining. He disliked politics, and there was nothing in official position that could attract him from the sphere to which he had devoted himself. He was ambitious, but his ambition was confined to his profession; all his study and reading was subservient to that ambition; therefore his knowledge of the law, his power of applying it to practical use, of wielding its subtleties with facility, and separating truth from error in a manner which rendered him unqualed at the bar of the State, and we may say of the nation.

His life was unvaried by those events which excite the ambition of the politician and the statesman. It was spent over books, in the contests of the forum, before learned and venerable judges, whose deliberations were aided and enlightened by his learned and powerful arguments.

Nicholas Hill was born in the County of Montgomery, New York, October 16, 1806. His father was a revolutionary soldier, who, on leaving the army, became a useful preacher of the gospel.

Young Hill early exhibited a love of books, a quick comprehension of their contents, an unusual tenacity of memory. An indomitable energy and perseverance enabled him, with the aid of his father—who was an accomplished scholar—to acquire a very excellent classical education.

Choosing the legal profession for his avocation in life, he began the study of law with Daniel Cady, of Johnstown, with whom he prepared for the Bar. After obtaining his degree as an Attorney at Law, he commenced practice at Amsterdam, New York, meeting with but little success, his practice being largely confined to the justices' court. At length he removed to Saratoga, New York, where he made the acquaintance of that illustrious judge, Esek Cowen, "whose life and career seemed to offer that example of singleness of purpose, devotion to his profession and unwearied industry upon which he molded his career." Judge Cowen soon discovered in Hill those mental qualities which constitute a successful lawyer, and he gave him his influence and advanced his professional interests in many ways. At length he formed a copartnership with Sidney Cowen, Esq., a son of Judge Cowen. Associated with Mr. Cowen, he prepared that great work known to the legal profession throughout the nation and in England as *Cowen & Hill's Notes to Phillips on Evidence*, which remains a lasting monument to the ability, energy, industry and learning of its authors—a work which may be considered a law library by itself.

The unassuming manner and native modesty of Mr. Hill tended at first to retard his progress at the Bar. Though a close and powerful reasoner, he did not possess those showy elocutionary qualities which dazzle the multitude and bring a lawyer rapidly into notice.

Though he loved the forum and delighted in its contests, yet there were many of the attributes of the retiring scholar in his nature, and hence he derived the most sincere pleasure in the silence and retirement of his study.

He had many qualities which constitute the successful jury lawyer, and gradually attained a high position as an advocate. Marcus T. Reynolds and Samuel Stevens, for several years his great rivals in the profession, had been distinguished at the Bar of the Supreme Court in banc and in the Court for the Correction of Errors a long time before Mr. Hill was known in either of those tribunals.

But from his first appearance there he created a very favorable impression on the minds of all the members of the Court. In the case of *Tilden vs. Gardiner*, which was one of the earliest argued by him before the General Term, his argument was listened to with profound attention by both the Bench and the Bar. "We shall hear from that man very often hereafter," said Chief-Justice Nelson to Judge Bronson, as he was folding the papers in the case, after the conclusion of Mr. Hill's remarks. Doubtless the reputation which the *Notes to Phillips on Evidence* had given aided him in gaining the confidence of the judges, and in obtaining the appointment of State Law Reporter in 1841. The manner in which he prepared these reports greatly enhanced his reputation. They are characterized by the same methodical and expansive mind which is conspicuous in all his works.

He was one of the most accomplished and accurate pleaders in the State, and few exceeded him.

in the faculty of analyzing a complicated question or clinching a contested conclusion. These qualifications greatly aided him in the labors of reporting the adjudicated cases of the State Courts, enabling him to adjust them so that the student or the practitioner could determine at a glance the real points decided in them. Soon after receiving this appointment, he removed to Albany, where he resided the remainder of his life.

He occupied the position of State Reporter five years, when his increasing legal business compelled him to resign. Soon after his resignation he formed a copartnership with Peter Cagger and John K. Porter, constituting a firm which combined every variety of legal talent—a firm which was distinguished for its capacity and for the vast amount of legal business which it controlled. Each of its members possessed attainments which gave them superiority at the Bar, or in whatever intellectual field they chose to enter.

Mr. Hill devoted himself to the General Term and the Court of Appeals; at length his business at the latter Court increased to such extent that he was compelled to confine himself almost exclusively to that tribunal.

Mr. Hill's manner at the Bar was calm, dignified, natural and unassuming. The vivacity and strength of his mind, his prodigious quickness of conception, his plain but ready language, rendered him an effectual speaker in the forum. He gained the attention of the jurors by the natural force of reason; his language was never above or beyond them; it went direct to their understanding. He considered the case at bar with them, viewed it from their stand-point, and he "dexterously accommodated himself to what he detected to be the passing mood of each of the twelve," leading them instead of driving them to their conclusions.

One of the most powerful weapons which an advocate can use is candor. This was possessed by Mr. Hill, and it was, indeed, formidable in his hands. Without any parade of learning, he convinced the judges that he had examined every phase of the question he was arguing, and was, therefore, capable of enlightening their minds and aiding them in their deliberations; hence he was strong at *Nisi Prius*, still stronger before the Court in banc.

His habits of life were regular and frugal, the only excess in which he indulged being his intense, never-ceasing application to his books, the study of his cases and his briefs.

At length the physical powers of Mr. Hill, which were never strong, began to yield to constant and unrelaxed labors; with the flight of each week this became more and more apparent, until finally his friends persuaded him to suspend his professional toils. He yielded to their advice, and they soon had the satisfaction of seeing his bodily strength and vigor return and his energies revive; thus he continued for several weeks, until he believed himself able to resume his usual duties. But, alas! Even at the moment when hope was highest, with the prospect of returning health, he suddenly fell before the destroyer, and Nicholas Hill was numbered

with the dead. This sad event occurred on the first day of May, 1859. He was then in the fifty-fourth year of his age—at that period when he yet had years of activity, labor and usefulness before him.

The intelligence of his death produced the most profound sorrow throughout the State, particularly among the members of the legal profession. When it was announced in the Court of Appeals, in that arena where he had so long been a prominent contestant, where he had occupied a place since the organization of the court, a scene of sorrow unequalled on such occasions and in such places followed.

Mr. Hill's death was announced in the Court of Appeals, by Hon. John H. Reynolds, in a eulogium which will never be forgotten. He was eminently qualified for that delicate and responsible duty.

Mr. Reynolds was one of the ablest members of the Albany Bar; a man of rare argumentative powers, enlarged and liberalized by scholarly training and set off by literary accomplishments. He had been the law partner of Mr. Hill, and knew him, perhaps, better than any other man, and was tenderly attached to him.

Mr. Reynolds' professional endowments, his pure and elevated character, endeared him to his brethren of his profession; in a word, he was one of those whose names adorn the history of the Albany Bar.

#### PETER CAGGER.

Few members of the Albany Bar left a brighter or more lasting record, not only as a lawyer, but in all that makes up an esteemed and useful citizen, than Peter Cagger.

He was born at Albany, July 6, 1812. His parents were natives of Ireland, where his father was extensively engaged in business. Before the birth of Mr. Cagger, his father removed his family to the United States, and for a brief period were residents of the City of New York, but they soon removed to Albany, where they spent the remainder of their lives.

We cannot describe the career and character of Mr. Cagger in more fitting language than the following, written by a distinguished journalist of Albany:

"The record of Mr. Cagger's life exhibits a series of happy antitheses. A Democrat of the Democrats, the bold, sagacious and widely known partisan, almost upon all occasions the sole daring manager of the interests of a great party, and the absolute controller of its fortunes and destiny—local, State and national; he was so happily constituted as to attract, without effort, in seasons of fierce political excitement, the most potential among those of antagonistic sentiment, and to number among his friends his most bitter political opponents. A Catholic of the Catholics, his very name a tradition and a household word among the people of his faith; largely identified with the early history of the old church in Albany; an intelligent, conscientious and faithful believer, he was, at the same time, the chosen confidant, the familiar friend, the



trusted, most honored and reliable adviser of many whose peculiar religious bias might have suggested other counsel and far different associations. To the young, to the middle-aged, his contemporaries, and to the old there was something so genial, so magnetic and so inspiring about Peter Cagger that the abrupt intelligence of his sudden and unlooked-for death will be clothed with additional pain. We might detail, if we chose, unnumbered instances of his kindness, his noble charities, the beautiful traits and Christian influences which accompanied him through the years which Providence has bestowed, and which will live before Heaven, and before men, perhaps, when the record of the lawyer has faded, and the memory of the politician is extinct. The poor, the widow, the orphan, the unprotected, never appealed to him in vain; the tears of his own fatherless and bereaved family will mingle, as it were, with a tide of grief from hidden sources, and the hearts his own kind heart made happy, and the homes his liberality blessed, will keep his memory bright when even the marble has crumbled upon his grave."

Michael Cagger, the elder brother, was a young man of great promise, of thoughtful, philosophic mind, and attracted the attention of distinguished men, who discovered in him unmistakable elements of future greatness. He died in the very prime of life. William Cagger, another brother, was for a time engaged in business in Albany, and afterward in the New York Custom House, in which position he died. Mr. Cagger married Maria Maher, daughter of James Maher, well known for a considerable period as State Librarian, and in the War of 1812 as the gallant Captain of the "Irish Greens," a military company originating in Albany and which bore a prominent part in the famous conflict at Sackett's Harbor. A daughter, the sole remaining issue of this marriage, survives him.

At an early period of life he was placed in the then celebrated law office of Reynolds & Woodruff. Even as a clerk his remarkable administrative capacity began to manifest itself, and the efficiency of his labors was occasionally recognized in the most handsome manner by the distinguished principals of that powerful firm.

Mr. Cagger afterward associated himself with Mr. Samuel Stevens, and the firm name of Stevens & Cagger became speedily potential in legal circles. After a successful practice of some years, Mr. Stevens, a very able man and the peer of renowned lawyers in the legal arena, yielded to excessive labor; and shortly after his decease a new legal firm, that of Hill, Cagger & Porter, was established, which will go down to posterity as one of the most remarkable combinations of ability and fitness for the several departments of a great law office ever known in the annals of the State.

"The great intellect of Hill shone in the court of last resort, where his genius coruscated, and in which his profound learning, and the unbending integrity of his character, secured reverence even of the Bench; the commanding eloquence, the penetrating mind, the admirable sagacity of Porter took easy precedence of all others at *Nisi Prius*;

and the extraordinary administrative talent of Cagger, ready at once and at a moment's beck for abstruse pleadings, for the minutiae of petty litigation, with its inexhaustible fund of device and ingenuity; instinctively prepared for all combinations, of finance, of politics, and at home in important business negotiations—all these things combined to make this famous trio so constituted as if every requisite and possible demand had been foreseen and provided for."

In the midst of his successful career as a lawyer and politician Mr. Cagger was suddenly summoned from earth. On the 6th of July, 1868, while riding with a friend in the City of New York, he was thrown from his carriage and instantly killed.

This distressing event cast a gloom over his native city, whither his remains were tenderly carried.

At the time of his death Mr. Cagger was fifty-six years of age.

#### IRA HARRIS,

Distinguished as a lawyer, judge, and Senator in Congress, was born at Charleston, Montgomery County, N. Y., May 31, 1802. His father was Frederick Waterman Harris; his mother's maiden name was Lucy Hamilton. When he was six years old his parents removed from Charleston and became residents of Preble, N. Y. Here his father became one of the extensive landowners in the County of Cortland. Ira prepared for college at the Homer Academy, and in September, 1822, became a member of the Junior class in Union College, from whence he was graduated in 1824. He immediately entered the office of Augustus Donnelly, a highly respectable counselor at law, of Homer, N. Y., where he remained one year, and then went to Albany, N. Y., where he continued his legal studies under that great jurist, Ambrose Spencer. He continued with Judge Spencer until his call to the Bar in 1827. Opening an office in Albany, he began his practice under favorable circumstances. At the end of six months he formed a co-partnership with Salem Dutcher, Esq., one of his associates in college, which proved to be a very successful relation. It continued until 1842, when it was dissolved by the removal of Mr. Dutcher to New York. His next law partner was Julius Rhoades, Esq. His knowledge of law, his rare professional accomplishments, brought him rapidly before the public. As an equity lawyer he stood pre-eminent.

In the autumn of 1844 he was elected to represent Albany County in the Assembly. In 1845 he was re-elected, and in the spring of 1846 was chosen as a delegate to the Constitutional Convention which assembled in June that year. In this body, as in the Legislature, Mr. Harris took a very conspicuous position. In the fall of 1846 he was elected to the State Senate, but after serving one session he was elected a Justice of the Supreme Court, and resigned his seat in the Senate for one on the Bench. At the expiration of his term, then four years in duration, he was elected for the full term, which had been extended to eight years. To

use the language of another, "It was not until his elevation to the Bench that the abilities of Judge Harris were fully displayed. He exhibited profound knowledge of the law, much judicial capacity and severe, though courteous, impartiality."

His charges to juries were models of excellence in the clearness with which the facts proven and the law bearing upon them were presented. The published opinions of Judge Harris during the twelve years he sat upon the Bench evince extensive learning and strength of reasoning.

Upon leaving the Bench he spent a year in Europe. On his return home he was, in 1861, elected to the Senate of the United States. His opponents for this distinguished position were Horace Greeley and Wm. M. Evarts. In the Senate his abilities were recognized; he was placed upon the Committee on Foreign Relations, the Judiciary, and the Select Joint Committee on the Southern States. He soon became the intimate and trusted friend of President Lincoln. In the darkest hours of his administration Mr. Lincoln always found light in the co-operation of Senator Harris, and in his moments of despondency sympathy and support. During the civil war Senator Harris was most efficient in raising a regiment of cavalry for the Union, which was called after his name, as was also a regiment of infantry.

In 1868 the Senatorial term of Mr. Harris expired and he returned to private life, having won the distinction of a wise, useful American statesman. Hardly had he become accustomed to his home life when he was again summoned by his fellow citizens into public service. He was again elected to a seat in a constitutional convention—the convention of 1867. In this body he especially distinguished himself in his famous speech on "Government of Cities." When this convention adjourned Judge Harris had been in public life over twenty-three years.

He had been connected with the Albany Law School from its organization in 1850, and lectured to the students whenever his official duties permitted. He now accepted the appointment of Professor of Equity Jurisprudence and Practice, devoting himself wholly to the school down to the time of his death, which took place December 2, 1875. The lectures of Judge Harris proved eminently popular and useful. He was for many years President of the Board of Trustees of Union College; he was President of the Albany Medical College, and of the Board of Trustees of Vassar College; he was one of the founders of the Rochester University—its first and only Chancellor.

Among the public addresses of Judge Harris was an oration delivered on the occasion of a jubilee anniversary of the old academy at Homer, a lecture delivered at Albany upon the life and character of Roger Williams. For many years he held the office of deacon in the Emanuel Church in Albany, and was also President of the American Baptist Missionary Union.

In 1869 he conferred the degrees upon the students at the commencement exercises of Union College. On the 2d of December, 1875, Judge

Harris was summoned from the scenes of earth "to that better land." His death caused great sorrow at Albany and throughout the State; his funeral was one of the largest that ever took place in the city. The Bench and the Bar testified their respect for his memory, and for his brilliant career as a lawyer, judge and citizen, in eloquent and appropriate eulogies. All classes of citizens united in honoring the departed jurist, statesman and esteemed citizen.

Judge Harris was a brother of Hon. Hamilton Harris. He left a widow, two sons and four daughters. Col. William Hamilton Harris, the eldest son, served thirteen years in the U. S. Army, and afterward, at his own request, was honorably discharged. Capt. Ira Harris, his other son, served ten years in the U. S. Navy. Resigning his commission, he became an extensive iron manufacturer at Kansas City, Missouri.

#### RUFUS W. PECKHAM

was a learned, distinguished lawyer and jurist.

His early training was favorable to the development of his strong mental powers, and the scenes of his professional activity were propitious for their exercise.

He was called to the Bar at a brilliant period in its history. He studied his profession under the instructions of illustrious jurists, and among his companions were those whose names are bright on the historic page.

He was born at Rensselaerville, in the County of Albany, December 30, 1809. In his early boyhood his father removed to Otsego County, near Cooperstown, where young Peckham grew into manhood. Like most boys at that period, he was sent to the common district school—that time-honored and still valuable institution—to attain a primary education. When he was thirteen years of age he became a student in Hartwick Seminary, under the management of Rev. Dr. Hazelius. In this institution he prepared for college. In 1825, when in his sixteenth year, he entered Union College, taking an advanced standing, which enabled him to join the graduating class of 1827.

"While in college he displayed a degree of natural quickness and talent which enabled him easily to maintain a high rank in a class distinguished for scholarship. He early manifested a taste for military pursuits, and while in college devoted a portion of his time to the study of military tactics, his proficiency in which secured for him the rank of captain in the celebrated battalion of Union College Cadets, one of the most highly creditable organizations in point of soldierly bearing and discipline in the entire State. Throughout life he exhibited the bearing and many of the characteristics of the trained soldier, and was possessed in an eminent degree of the qualities of moral and physical courage which remained distinguishing traits down to the last moment of his life."

Having a brother, who was a distinguished physician, living in Utica, he went to that city for the purpose of preparing to enter the legal profes-

sion. At this time Greene C. Bronson and Samuel Beardsley—whose names are indissolubly connected with the learning and dignity of the old Supreme Court, and with the honors and erudition of its Bench—were practicing lawyers, as a legal firm, which ranked first in the State of New York.

It was in the office of these gentlemen that young Peckham studied his profession. It is a singular coincidence that these eminent lawyers and their student should each in after life attain high judicial honors, and pronounce the law from high appellate courts of the State, the student from the court of *dernier ressort*, leaving a record over which the practitioner and the legal student love to linger.

The advantages of such tutorship of these eminently learned and gifted lawyers was duly appreciated by young Peckham, and it left its impress upon his whole professional career. He was guided by them up to a distinguished professional position. He continued with them until 1830, when he was called to the Bar. This event took place immediately after attaining his majority. Six years later, on January 6, 1836, Greene C. Bronson was appointed a Justice of the Supreme Court of the State, and on March 5, 1845, he was made Chief Justice of that Court.

Early in February, 1844, Esek Cowen, one of the most illustrious of American judges, then a Judge of the Supreme Court, died, and Samuel Beardsley was appointed to succeed him on the Bench, a fit representative of his great predecessor.

In 1845 Greene C. Bronson departed this life, and Samuel Beardsley was appointed Chief Justice in his place. Before Judge Bronson and Judge Beardsley ascended the Bench they were both the recipients of high official honors. The former was appointed Attorney-General of the State, serving from February, 1821, till February, 1829, when he was succeeded by Mr. Beardsley, who served till January, 1836. In 1831 Mr. Beardsley was elected to Congress, serving in the Twenty-second, Twenty-third, Twenty-fourth and Twenty-eighth Congress. During his service he became, as has well been said, one of the pillars of President Jackson's administration.

After his admission to the Bar Mr. Peckham became a partner of his brother, George W. Peckham, Esq., who had then become a member of the Albany Bar. The firm was prosperous from the beginning. The Albany Bar, always brilliant, learned and commanding, was especially so at this time. With its powerful gladiators young Peckham was compelled to contend in his struggle for the eminence he attained. In the contests with such opponents he derived strength and courage, which at length made him their equal. Among his competitors were Marcus T. Reynolds, Samuel Stevens and H. G. Wheaton, then the principal jury lawyers at the Albany Bar. It was not long before Peckham was regarded as a successful rival, found on one side or the other of most of the leading cases tried at the Albany Bar. He was what may be called an eloquent, terse, logical, legal orator.

In 1839 he was appointed by Gov. Marcy

District Attorney of Albany County, discharging its duties with singular ability till 1841, when he was succeeded by Henry G. Wheaton.

In 1845 he was a candidate for Attorney-General, his opponent being John Van Buren, by whom he was defeated by a single vote.

In 1852 he was elected a representative in Congress from the City and County of Albany; he took his seat on January 2, 1853, serving through the administration of President Pierce.

"Although a life-long Democrat, and elected by the Democratic party, he refused to be bound by party ties when the interests of the nation were at stake, and exercised an independence as wise and honorable as it was fearless. He opposed the passage of the Nebraska bill by voice and vote; his thorough grasp of the problems of the day enabled him to discern the effects which that measure would be likely to produce—an effect which he foretold with wonderful accuracy." After retiring from Congress he continued the practice of his profession in Albany, associating himself with Lyman Tremain, then a young lawyer, but who afterward won a name conspicuous in the history of the State.

In 1859, accompanied by Chief-Justice Beardsley, he visited Europe. On his return in the fall of that year he was elected a Justice of the Supreme Court, serving his term of eight years. He was unanimously re-elected; before this term closed he was elected a Justice of the Court of Appeals. Few American judges possessed rarer judicial accomplishments than he. The truth of this remark is fully sustained by the legal reports of the State.

"On the 5th of November, 1873, Judge Peckham and his wife sailed for Europe on the ill-fated steamer *Ville du Havre*, of the French line, which, on the 22d of the same month, when in mid-ocean, collided with the British ship *Loch Earn*, and went down in the darkness of the night, carrying two hundred and twenty-six souls into eternity; among those who perished were Judge Peckham and his affectionate wife. Even the awful nature of the impending calamity served but to bring out those noble qualities of heart and soul for which he had through life been distinguished. In this supreme hour of peril his tall form took its place among the helpless and abandoned ones. Grasping his loving wife by the hand, he endeavored to sustain and cheer those around him, and, uttering those memorable words which, borne to us by a survivor, have sent a thrill of admiration over two continents, 'If we must go down, let us die bravely!' sank into the deep waters of the Atlantic."

Judge Peckham was twice married. His first wife, a daughter of the Rev. Dr. Lacy, formerly Rector of St. Peter's Church, Albany, was the mother of his two sons, Wheeler H. Peckham, of New York, a distinguished lawyer, and Rufus W. Peckham, of Albany, now one of the Justices of the Supreme Court of the State.

The profession throughout the State, and we may say largely throughout the nation, testified its high respect for the memory of Judge Peck-

ham and their sorrow for his death in expressions of grief and in tributes of respect and admiration.

Memorial services were held in St. Peter's Church, Albany, in his honor, December 14, 1873, and were attended by a vast number of friends and sympathizers.

The judges of the Court of Appeals attended in a body, wearing mourning badges on their left arms. The whole service was intensely impressive. Perhaps no better description of Judge Peckham can be given than that which we copy from the sermon delivered at the funeral by Rev. W. A. Snively, rector of the church:

"Beneath the courtly dignity of his manner and the almost austere aspect of his outward bearing, there was a heart of almost feminine tenderness, a truly reverent spirit and an amiability and a patience which no contradiction could exhaust. His integrity was not an official assumption—it was a personal fact. The rectitude of his judicial character expressed itself in the daily relations of life, in the amenities of social intercourse, and in the intimacies and refinements of his own generous hospitality. Even in the freedom of recreation from professional toil there was no lowering of his personal dignity and his courtly bearing; and in the sacredness of his home and the intimate relations of personal friendship, that dignity was sweetened by a tenderness, a simplicity and an affection which in such a combination are as beautiful as they are rare. And the closing hour of his earthly life blended both of these characteristics as with the same breath he cheered and sustained the hearts around him that were paralyzed by fear and spoke his last recorded words, which showed that even in that supreme moment he was his own grand and heroic self."

#### LEWIS BENEDICT.\*

Col. LEWIS BENEDICT, son of Lewis and Susan Benedict, was born at Albany, N. Y., September 17, 1817.

His early studies were prosecuted at Cayuga County, N. Y., but his preparation for college was made mainly at the Albany Academy. In 1834 he entered the Sophomore class of Williams College, and was graduated in 1837. Immediately after graduating he entered the office of the late John C. Spencer, at Canandaigua, where he completed his legal education.

In January, 1841, he was licensed to practice at a General Term of the Supreme Court, held at Albany. He commenced practice in that city, and quickly took a respectable position at the Albany Bar. In 1845 he was appointed City Attorney, and at the expiration of his term was re-appointed.

In 1847 he was appointed Judge-Advocate-General on the staff of Gov. John Young. In 1848 he was elected Surrogate of the City and County of Albany for the term of four years. His entire vote greatly exceeded the strength of his party. In

1849 he received the appointment of Judge-Advocate-General from Gov. Hamilton Fish.

In 1852, and also in 1860, he was the candidate of the Whig party for the Recordership of the city, and shared in the defeat of its nominees.

In 1854 he was appointed, by the Controller, one of a board of commissioners charged to ascertain and report concerning the pecuniary and other conditions of the several state prisons, and also to devise laws for their better regulation and discipline. The results of the labors of this commission are contained in a voluminous report made to the Assembly in 1856.

In the fall of the year 1860 he was nominated by the Union men of his district for member of Assembly and elected, being the only Union candidate returned from the county at that time. This was the last public position of a civil character held by him.

Both the beginning and the end of his life develop the same characteristics—great fondness for ease and recreative enjoyments—yet with ready power to subordinate such tastes, or repress them altogether, in obedience to the claims of any serious engagements.

As a boy, he was noted for his zeal and diligence in study, and not the less for enterprise in play.

His collegiate career resembled his academic; it was successful to whatever degree he chose to make it. A classmate, now president of a college, describing him, says: "It is doing injustice to none of his classmates that in mind, as in person, he had no superior among them all. His rank as a scholar was high, and he could have made it higher. His mind was quick and clear, and he learned with great facility. His critical power was unusual, and no one could detect the weak points of an argument or the incorrect use of terms sooner than he."

He graduated with distinction, and three years afterward was appointed to deliver the Master's oration.

While a student at law he maintained sufficient ardor of pursuit to enable him to acquire a knowledge of the elements of that science; but his taste for general literature was decided enough to save him engrossment by studies purely professional. The uncommon facility with which he acquired knowledge—the result of his quick perception and retentive memory—afforded him intervals to indulge his tastes without neglecting his proper studies; he therefore read much besides law, and digested well what he read.

On his admission to the Bar, Marcus T. Reynolds, then in the zenith of his professional fame, received him as his law partner, and elevated him at once to a high position in the practice. Other connections and associations occurred to make his entrance upon his professional career one of the most promising that could fall to the lot of a young practitioner.

The City Attorneyship, which Col. Benedict held two terms, was the first political appointment he ever received. From that time, however, he was actively and earnestly a political partisan, and ap-

\*The author is under obligations to a "Memorial of Brevet Brigadier-General Lewis Benedict, Colonel of the 162d Regiment, N. Y. V. I.," published in 1864, for some of the facts in this sketch.

peared less and less in the forum and more and more in the committee-room and upon the hustings. The tersest record of his political labors would be the history of every party struggle, State or national, that occurred from his entrance into political life until he joined the army. He was always a leader. He was often delegate to conventions, State and county; chairman of committees, general and local; a prolific author of addresses and resolutions, and a frequent speaker at political assemblages.

He was acute in his perceptions of the qualities of men, and accurate in his estimate of moral worth.

In his various public services he manifested capabilities which provoke regret that they were not also used for purposes of a less general character. The judicial duties of the Surrogate are not generally appreciated; yet there is no jurisdiction within which more complex or nice questions present themselves for adjudication, to say nothing of the enormous pecuniary interests and the multitudinous personal rights which are involved.

The clearness of his mind and the equity of his convictions receive some illustrations from the circumstance that, of the many judgments pronounced by him during the term he held the office, but one, and that made in the beginning of his official career, is known to have been reversed.

In the Legislature Col. Benedict took a highly honorable position. As the Chairman of the Insurance Committee, he exhibited useful administrative abilities. On the floor of the House, as a speaker, he always commanded respect and attention. He never addressed the Speaker unless he was master of the subject he proposed to present or advocate.

He was in the Legislature at that period when every lover of the Union began to feel the peril it was approaching. As no one loved the Union of States more deeply than Col. Benedict, none was an earlier or a more active supporter of it.

As early as January, 1861, Gov. Morgan endeavored to impress upon the Legislature the immediate necessity of placing the State on a war footing. Col. Benedict comprehended the importance of prompt action, for he anticipated the coming conflict. He therefore sustained the Governor with all his ability and eloquence.

He rejoiced when the President called for volunteers, but regretted that the number was so small. Writing to a friend after that call, he said: "The sentiment of the North is not satisfied with the present call for troops. The Government would be justified in demanding three hundred thousand men."

Upon this call Gov. Morgan, by a special message, requested the action necessary on the part of the Legislature, and that body responded by "An Act to Authorize the Embodying and Equipment of a Volunteer Militia, and to Provide Defense." This act was passed April 16, 1861. This act authorized the enlistment of thirty thousand men, and appropriated three millions of dollars for the purpose.

The passage of this act was largely due to the energies and exertions of Col. Benedict.

It was largely through his instrumentality that the selection and appointment of officers of the organization contemplated by the act was directed to be made, according to Sec. 11, Art. 11, of the Constitution, the importance of which was that the force should have a voice in the choice of officers to command it.

After this Col. Benedict gave all his time to the imperiled Union.

Col. Benedict had had considerable experience as a citizen soldier, and stood high among the efficient and well-drilled officers of the accomplished military corps of Albany, and had been promoted to the rank of Lieutenant-Colonel of the City Cavalry. Soon after leaving the Legislature, in the spring of 1861, he decided to enter the service of his country in the tented field. The New York Fire Department, while recruiting the 2nd Fire Zouaves, conferred upon him the Lieutenantcy of the proposed regiment. He was commissioned in June, 1861. The regiment was ordered to Washington, where it arrived on the 24th of July. Difficulty having occurred as to what brigade it should be attached, it was finally decided, after some delay, by the War Department, to attach it to the Excelsior Brigade, after which the regiment was known as the 73d Regiment, Excelsior Brigade. During the Winter of 1861-2, the regiment did picket duty and advanced itself, by constant drill, to be one of the most competent and accomplished in the brigade.

The affection with which Col. Benedict was regarded by his men was demonstrated by daily incidents, and never more touchingly than when some of his wild boys preferred to share the horrors of a rebel prison with him than to leave him in his helplessness on the field of Williamsburg.

The history of his career as a soldier from that time until he fell in battle is one of singular, almost thrilling, interest.

After his capture at Williamsburg, he was taken to Richmond, and afterward to Salisbury, N. C. His imprisonment ended after several months by an exchange. In September, 1862, one month after his exchange, he was commissioned Colonel of the 162d (3d Metropolitan) Regiment. In October following the regiment proceeded to New Orleans; but owing to various mishaps to the fleet, it did not reach the city until December. In January, 1863, he was designated Acting Brigadier, and in that capacity was actively employed, rendering important service previous to the siege of Port Hudson, where he was conspicuous in most of the terrible fights during that memorable siege. He was foremost in the terrible slaughter of June 14, 1863. When it was decided to storm the fort, Col. Benedict was given command of the Second Battalion, selected to serve "as the forlorn hope." This selection was a tribute to his coolness and courage. From that time forward he followed Gen. Banks through all his marches and victories. His last command, the 3d Brigade of the 1st Division and 19th Corps, was composed

of the 116th, 162d and 165th New York, two Maine regiments and an independent battery. No brigade fought more courageously or did more to turn the tide of battle.

The Red River campaign under Gen. Banks will ever be read with the deepest interest. It presents a series of bloody battles almost unequaled in the heroic conduct of the officers and soldiers engaged in it. When the army reached Pleasant Hill, about the 7th of April, there occurred a series of conflicts unparalleled in the history of the war. On the 9th of April, 1864, the final contest of the campaign took place. It was a day long to be remembered, a day when the tide of battle repeatedly changed, when the surging columns of the enemy were driven from their position, to return reinforced to a terrible and often successful charge, and so the conflict continued.

"In the conflict on the slope, and perhaps in the *melee* of that critical moment, when the reinforced enemy caused our line to hesitate and even to recoil, and the fortunes of the day seemed doubtful, when by almost superhuman efforts on the part of the officers the men were rallied to that frantic charge which gave victory to the Union arms and saved its army, its navy and its jurisdiction in the Southwest."

In this charge Col. Benedict, leading his brigade, in full view of the whole line of the enemy, fell pierced with several bullets. He was first wounded in the right arm and soon his horse was wounded; but still he pressed on, and in a few moments was shot through the head and died instantly.

No death could have produced more profound sorrow in the army, nor have occasioned a greater loss to it. When the intelligence of his death reached Albany, the home of his youth, where he was so generally beloved, it wrapped the city in general gloom.

On May 2, 1864, his remains reached this city and were received by a committee of the Common Council. Another committee met the remains on their arrival in New York City and accompanied them home.

The respect paid by the authorities and citizens of all classes to the dead soldier attested the high esteem in which he was held and the sorrow felt for his death.

On May 7, 1864, the members of the Albany Bar convened at the Capitol in large attendance to do honor to his memory. Hon. Rufus W. Peckham was called to the chair. Messrs. Wolford and Edwards were made secretaries. A series of eloquent resolutions were adopted, expressing the estimation in which Col. Benedict was held by his brethren of the profession. An eloquent, impressive eulogium was pronounced by the Hon. Lyman Tremain, followed by remarks from Hon. John K. Porter, Hon. Clark B. Cochrane, Hon. Hale Kingsley, Isaac L. Edwards, Esq., and Hon. C. L. Austin. The press of the city also paid the memory of Col. Benedict brilliant tributes of respect, and he was finally laid at rest amid tears and benedictions of the people of his native city.

#### LIST OF LAWYERS IN ALBANY CITY IN 1884.

J. J. Acker, 496 Broadway.  
 George Addington, 25 North Pearl.  
 George W. Albright, Beaver Block.  
 Albright & Stanwix, 10 Beaver Block.  
 Wm. A. Allen, 18 Douw's Building.  
 Arthur L. Andrews, 444 Broadway.  
 Buel C. Andrews, 14 North Pearl.  
 Austin Artcher, 18 Douw's Building.  
 Frederic Baker, 119 State.  
 Isaac B. Barrett, 50 State.  
 E. A. Bedell, Attorney-General's Office.  
 Edwin P. Bellows, 119 State.  
 James W. Bentley, 18 South Pearl.  
 James J. Bennett, 52 State.  
 Richard W. Brass, 73 State.  
 Edward J. Brennan, Chapel, corner Maiden Lane.  
 Walter M. Brown, 55 State.  
 C. J. Buchanan, Chapel, corner Maiden Lane.  
 A. T. Bulkley, 25 North Pearl.  
 Eugene Burlingame, 452 Broadway.  
 Henry D. Burlingame, 50 State.  
 Fred W. Cameron, 37 Maiden Lane.  
 Duncan Campbell, 6 Tweddle Building.  
 Lewis Cass, 55 State.  
 Chase & Delehanty, 25 North Pearl.  
 J. H. Clute, 12 Tweddle Building.  
 Alden Chester, 18 and 19 Tweddle Building.  
 J. H. Clute, 12 Tweddle Building.  
 Wm. K. Clute, City Building.  
 Mark Cohn, 29 North Pearl.  
 A. J. Colvin, 3 North Pearl.  
 L. Lorenzo Conley, 7 Partition, E. A.  
 Thos. F. Connor, Beaver Block.  
 Joseph A. Conway, 82 State.  
 Martin D. Conway, 116 State.  
 John T. Cook, 37 Maiden Lane.  
 J. F. Cooper, 24 North Pearl.  
 Edwin Countryman, 99 State.  
 Monroe Crannell, 69 State.  
 Walter S. Cutler, 192 North Pearl.  
 Franklin M. Denaher, 78 State.  
 Edwin G. Day, 31 North Pearl.  
 F. B. Delehanty, 25 North Pearl.  
 John A. Delehanty, 3 Douw's Building.  
 Philander Deming, 12 Jay.  
 DeWitt & Spoor, 35 to 38 Tweddle Building.  
 George Downing, 94 State.  
 Herbert T. Downing, 94 State.  
 Draper & Chester, 18-19 Tweddle Building.  
 Louis Dreyer, 75 State.  
 Z. A. Dyer, 44 State.  
 James W. Eaton, Jr., 17 Museum Building.  
 Jerome W. Ecker, 78 State.  
 James J. Farren, 49 State.  
 George W. Featherstonhaugh, 31 North Pearl.  
 Walter D. Frothingham, 69 State.  
 Worthington Frothingham, 69 State.  
 J. E. Gallup, 94 State.  
 John J. Gallup, 94 State.  
 George N. Govey, 72 Hudson avenue.  
 Scott D'M. Goodwin, r. 6 Albany Savings Bk. Bldg.  
 Anthony Gould, 55 State.  
 Clifford D. Gregory, 99 State.

George Stuart Gregory, 49 State.  
 J. Wendell Griffing, 864 Madison avenue.  
 Alfred A. Guthrie, 3 North Pearl.  
 W. R. Guthrie, 77 State.  
 John Gutmann, 80 State.  
 Mathew Hale, 25 North Pearl.  
 William H. Hale, 59 North Pearl.  
 Lewis B. Hall, Room 6, 89 State.  
 Daniel P. Halpin, 37 Tweddle Building.  
 Fred. C. Ham, 74 State.  
 Thos. H. Ham, 74 State.  
 A. Hamilton, 29 North Pearl.  
 Samuel Hand, 25 North Pearl.  
 Ira Harper, 41-42 Tweddle Building.  
 Frederick Harris, 20-23 Tweddle Building.  
 Hamilton Harris, 20-23 Tweddle Building.  
 Julius F. Harris, 31 North Pearl.  
 William B. Harris, 82 Livingston avenue.  
 Samuel S. Hatt, 86 State.  
 Nathan Hawley, 30 Douw's Building.  
 Hawley & McNamara, 82 State.  
 William Hayes, 21 Green.  
 D. C. Herrick, 5 Douw's Building.  
 Isban Hess, 11 Douw's Building.  
 Albert Hersberg, 7 Albany Savings Bank Building.  
 W. S. Hevenor, 9 Douw's Building.  
 B. R. Heywood, 79 Chapel.  
 George D. Hill, 3 North Pearl.  
 Wm. J. Hillis, 18 South Pearl.  
 N. P. Hinman, 49 State.  
 G. R. Hitt, 55 State.  
 Henry T. Homes, 25 Tweddle Building.  
 Lansing Hotaling, 74 State.  
 Wm. F. Hourigan, 40 State.  
 Leonard G. Hun, 25 North Pearl.  
 Marcus T. Hun, 25 North Pearl.  
 Oliver M. Hungerford, 74 State.  
 C. B. Hutchings, 15 Douw's Building.  
 G. D. Hurlbut, 119 State.  
 Robert Imrie, 93 State.  
 Charles M. Jenkins, 452 Broadway.  
 J. B. Jermein, 2 James, corner State.  
 James C. Johnson, 55 State.  
 Frank Kampfer, 80 State.  
 W. S. Kelley, 17 Tweddle Building.  
 J. M. Kimball, Beaver Block.  
 Charles B. King.  
 Dwight King, 108 Hudson avenue.  
 J. H. King, 69 State.  
 Wm. H. King (patent law a specialty), 31 N. Pearl.  
 Leonard Kip, 24 Tweddle Building.  
 George W. Kirchwey, 7 Museum Building.  
 C. Krank, 74 State.  
 Arno F. Krumbholz, 76 State.  
 L. C. G. Kshinka, 50 State.  
 Desmond S. Lamb, 18 Beaver.  
 A. & W. Lansing, 26-27 Tweddle Building.  
 Peter C. Lansing, 320 Clinton avenue.  
 Herman S. Lary, Bank Building, Greenbush.  
 I. & J. M. Lawson, 37 Maiden Lane.  
 J. A. Lawson, 37 Maiden Lane.  
 W. L. Learned, 298 State.  
 H. C. Littlefield, North Pearl, corner Pleasant.  
 Orville S. Long, 9 Douw's Building.  
 Wm. Loucks, 50 State.

Wm. J. Mackesey, 18 South Pearl.  
 John F. Manson, 68 State.  
 Manson & True, Ferry, cor. Broadway, Greenbush.  
 H. S. McCall, 5 Douw's Building.  
 H. S. McCall, Jr., 5 Douw's Building.  
 John T. McDonough, 114 State.  
 W. C. McHarg, 50 State.  
 James A. McKown, 114 State.  
 Wm. H. McNaughton, 44-45 Tweddle Building.  
 James C. Mathews, 18 South Pearl.  
 J. W. Mattice, 9 Tweddle.  
 P. F. Mattimore, 841 Broadway.  
 Charles W. Mead, 86 State.  
 Edward J. Meegan, Beaver Block.  
 Thomas A. Meegan, Beaver Block.  
 Payton F. Miller, 25 North Pearl.  
 Charles H. Mills, 44-45 Tweddle Building.  
 Charles W. Mink, 225 Green.  
 G. W. Miner, Albany Savings Bank Building.  
 N. C. Moak, Chapel street, corner Maiden Lane.  
 John F. Montignani, 73 State.  
 W. D. Morange, 69 State.  
 Judson H. Morrey, Jr., 62 Tweddle Building.  
 Wm. T. Murray, Room 8, Museum Building.  
 Max Myers, 72 State.  
 Wm. D. Murphy, 421 Clinton avenue.  
 Edward Newcomb, 5 Albany Savings Bank Build'g.  
 M. C. G. Nichols, 187 Livingston avenue.  
 Nathaniel Niles, 7 Albany Savings Bank Building.  
 Frank S. Niver, 99 State.  
 Norton & Bentler, 73 State.  
 John C. Nott, 50 State.  
 Edward W. Nugent, 52 State.  
 Myer Nussbaum, Albany Savings Bank Building.  
 Smith O'Brien, 9 Tweddle Building.  
 John J. Oleott, 69 State.  
 John B. O'Malley, Rooms 7-8, 44 State.  
 Myron H. Oppenheim, Tweddle Building.  
 Leonard Paige, 55 State.  
 Parker & Countryman, 99 State.  
 A. J. Parker, Jr.  
 George Parr, 74 State.  
 R. W. Peckham, Room 7 Albany Sav. Bank.  
 John DeWitt Peltz, 35-38 Tweddle Building.  
 John C. Pennie, 149 Madison avenue.  
 A. B. Pratt, 94 State.  
 Charles H. Ramsey, 71 State.  
 Joseph H. Ramsey, 71 State.  
 Rankin & Featherstonhaugh, 31 North Pearl.  
 Wm. F. Rathbone, 79 Chapel.  
 Cornelius B. Reardon, 24 North Pearl.  
 Edward T. Reed, 39 Tweddle Building.  
 Hugh Reilly, 29 North Pearl.  
 Dexter Reynolds, 25 North Pearl.  
 Simon W. Rosendale.  
 S. C. Rodgers, 52 Tweddle Building.  
 Edward D. Ronan, 34 Tweddle Building.  
 Wm. P. Rudd, 20-23 Tweddle Building.  
 J. G. Runkle, 18 High.  
 James M. Ruso, 52 Tweddle.  
 Joseph W. Russell, Jermain's Building, 2 James st.  
 J. H. Sand, 114 State.  
 Bleeker Sanders, 24 North Pearl.  
 H. T. Sanford, 74 State.  
 Thomas Sayre, 443 Broadway.

Robert G. Scherer, 73 State.  
 Wm. M. Scott.  
 Andrew G. Seelman, 80 State.  
 Osgood H. Shepard, 443 Broadway.  
 S. O. Shepard, 443 Broadway.  
 Hiram E. Sickels, 25 North Pearl.  
 George W. Smith, 74 State.  
 Horace E. Smith, 43 Tweddle Building.  
 Stuart G. Speir, Museum Building, Room 9.  
 C. T. F. Spoor, 35 to 38 Tweddle Building.  
 Nathaniel Spaulding.  
 B. I. Stanton, 22 Tweddle Building.  
 David H. Stanwix, Beaver Block, Room 10.  
 J. Stedman, 443 Broadway.  
 P. A. Stephens, 78 State.  
 John B. Steele, Jr.  
 Henry E. Stern, 37 Maiden Lane, Room 2.  
 George H. Stevens, 48 Tweddle.  
 John A. Stephens.  
 Clarence Strevell, 24 North Pearl.  
 Elliott I. Stiles, 5 Partition, E. A.  
 Henry C. Stryker.  
 J. B. Sturtevant.  
 Geo. V. Thatcher.  
 Wm. W. Thompson, 74 State.  
 Geo. L. Thompson, 444 Broadway.  
 C. M. Tompkins, Albany Savings Bank Building.  
 Tracey & Cooper, 24 North Pearl.  
 A. H. Tremain, 13 Tweddle Building.  
 George M. True, 66 State.  
 Lucien Tuffs, Jr., Beaver Block.  
 Thomas J. Van Alstyne, 9 Douw's Building.  
 Andrew Van Derzee, 14 Tweddle Building.  
 W. Bayard Van Rensselaer, 25 North Pearl.  
 Abram Van Vechten, 3-5 North Pearl.  
 Lansing Van Wie, 16 Second avenue.  
 Alonzo B. Voorhees, 73 State.  
 Fletcher Vosburgh.  
 Isaac H. Vrooman, 282 Hamilton street.  
 Edward Wade, 93 State.  
 Frederick E. Wadhams, 33 Tweddle Building.  
 R. B. Wagoner, 86 State.  
 Augustus H. Walshe, 85 Hawk.  
 John W. Walsh, 79 Chapel.  
 Walter E. Ward, 37 Maiden Lane.  
 Hiram L. Washburn, Jr., 44 State.  
 Cyrus Waterbury, Jr., 44 State.  
 Robert H. Wells, 94 State.  
 Jacob Wendell, 184 Elm.  
 W. S. Whitmore, 86 State.  
 Thos. F. Wilkinson, 16 Douw's Building.  
 John S. Wolfe, 14 North Pearl.  
 Bradford R. Wood, 25 Tweddle Building.  
 J. Hampden Wood, 25 Tweddle Building.  
 Horace I. Wood.  
 Francis H. Woods, 116 State.  
 O. M. Wright, 25 North Pearl.  
 Edwin Young, 79 Chapel.  
 William A. Young.

#### MEMBERS OF THE ALBANY COUNTY BAR OUT- SIDE THE CITY OF ALBANY.

##### BERNE.

Z. B. Dyer,  
 Edward V. Filkin,  
 John D. White.

##### COEYMANS.

C. M. Barlow,  
 W. Scott Coffin,  
 J. M. Harris,  
 S. Springstead,  
 Cornelius Vanderzee,  
 Gerrit Witbeck.

##### COHOES.

James F. Crawford,  
 Charles F. Doyle,  
 Peter G. Falardo,  
 George H. Fitts,  
 Lawrence B. Finn,  
 Isaac W. Hiller,  
 Murray Hubbard,  
 Rosin J. House,  
 John E. McLean,  
 Peter D. Niver,  
 James R. Stevens,  
 Earle L. Stimson,  
 Henry A. Strong,  
 James Wallace.

##### GUILDERLAND.

Hiram Griggs,  
 Atchison Mitchell.

##### NEW SCOTLAND.

B. H. Staats.

##### RENSSELAERVILLE.

Lawrence Faulk,  
 William R. Tanner,  
 Norman W. Faulk.

##### WESTERLO.

Farley Fisher,  
 Alonzo Spaulding.

##### WEST TROY.

Geo. F. Alexander,  
 L. R. Beekley,  
 E. L. Blood,  
 James W. Boyle,  
 John H. Gleason,  
 F. L. Getty,  
 J. D. Hallen,  
 William Hollands,  
 C. D. Hudson,  
 Isaac W. Lansing,  
 A. D. Lyon,  
 Eugene McLean,  
 Volkert J. Oathout,  
 D. J. O'Sullivan,  
 Isaac B. Potter,  
 Alfred W. Richardson,  
 Thomas F. Riley,  
 Peter A. Rogers,  
 Elias Van O'Linda,  
 James W. Warford.

##### GREEN ISLAND.

James R. Tortance.

### JUDGES AND OTHER COURT OFFICERS

#### FOR ALBANY COUNTY, OR RESIDENTS OF THE COUNTY.

##### MASTERS OF COLONIAL COURT OF CHANCERY.

John Abeel and Evert Banker, Oct. 13, 1705; P. P. Schuyler, 1768.

##### CHANCELLORS OF STATE COURT OF CHANCERY.

John Lansing, Jr., Oct. 21, 1801; James Kent, Oct. 25, 1814; Reuben H. Walworth, April 22, 1828.

##### CHIEF JUSTICES FROM ALBANY COUNTY OF THE SUPREME COURT FROM 1777 TO 1847.

Robert Yates, September 28, 1790; John Lansing, Jr., February 15, 1798; James Kent, July 2, 1804; Smith Thompson, February 3, 1814; Ambrose Spencer, February 9, 1819; Greene C. Bronson, March 5, 1845.

##### PUISNE JUSTICES of Supreme Court.

Robert Yates, May 8, 1777; John Lansing, Jr., September 28, 1790; Ambrose Spencer, February 3, 1804; Greene C. Bronson, January 6, 1836.

A Circuit Court was created by the Constitution of 1821. It was the *Nisi Prius*, or Trial Court of the Supreme Court. The State was divided into eight districts or circuits, corresponding to the Senatorial Districts. At least two Circuit Courts and Courts of Oyer and Terminer were required to be held in each county annually, the Circuit Judge presiding. Each of the Circuit Judges was to appoint a clerk for the Court of Equity, to be held by each judge respectively.

##### CIRCUIT JUDGES from Albany County.

William A. Duer, April 21, 1823; James Vanderpoel, January 12, 1830; Amasa J. Parker, March 6, 1844.

The Constitution of 1846 abolished the old Supreme Court, the Court of Chancery, Court for the Correction of Errors, and the Circuit Courts; instituting a Court of Appeals, a Supreme Court with an Equity side, and retaining the Court of Oyer and Terminer. The Judges of these Courts were all made elective.

JUDGES OF THE COURT OF APPEALS *from the County of Albany.*

Alexander S. Johnson, November 5, 1851; John K. Porter, Jan. 2, 1865; Rufus W. Peckham, May 17, 1870; Samuel Hand, June 11, 1878.

JUDGES OF THE SUPREME COURT *under the Constitution of 1846.*

Ira Harris, June 7, 1847; Elisha P. Hurlbut, June 7, 1847; Malbone Watson, June 7, 1847, and Nov. 8, 1853; Amasa J. Parker, June 7, 1847; Ira Harris, November 4, 1851; Deodatus Wright, April 20, 1857; Rufus W. Peckham, November 8, 1861; William L. Learned, June 21, 1869; Rufus W. Peckham, Jr., November 6, 1883; William L. Learned, November, 1884.

Judge Peckham is a son of Hon. Rufus W. Peckham, a judge of the Court of Appeals, who was a passenger on the steamer *Ville du Havre*, which, on the night of November 22, 1873, in mid-ocean, collided with the British iron ship *Loch Erin*. Two hundred and twenty-six souls, among whom were Judge P. and his wife, were drowned.

COURT OF COMMON PLEAS AND SPECIAL SESSIONS.

A Court of Common Pleas was established in Albany County by the provisions of the Dongan Charter, 1686. A Court of Common Pleas was established in each County by an act of the Colonial Legislature in 1691. The first State Constitution retained the Court of Common Pleas, varying its procedure to accord with the State Government. The Constitution also organized a Court of Sessions, it being the criminal side of the Common Pleas, as the present Court of Sessions is the criminal side of the County Court. The judges were appointed by the Governor and Council of Appointment down to 1821, when the latter body was abolished, and the Common Pleas judges were appointed by the Governor, by and with the advice of the Senate, down to the Constitution of 1846, which abolished the Court of Common Pleas, created a County Court, a Court of Sessions to be presided over by one County judge in each County elected by the people. It provided for the election of two justices in each County who, with the County judge, constituted a Court of Sessions for the trial of criminals. These session justices, with a justice of the Supreme Court, constituted the Court of Oyer and Terminer in each County for the trial of criminals of a higher grade.

We give the names of the First Judges of the Court of Common Pleas during its existence, followed by the County Judges appointed or elected since under the first Constitution of 1777, and of the Constitution of 1846:

MAYOR, RECORDER AND ALDERMEN *of Albany, or any three of them, from 1686.*

Peter Schuyler, May 27, 1691; John Abeel, May 27, 1702; Peter Schuyler, Oct. 14, 1702; Killiaen Van Rensselaer, Dec. 23, 1717; Rutger Bleecker, Dec. 23, 1726; Ryer

Gerritse, Dec. 23, 1733; Robert Sanders, Nov. 28, 1749; Sybrant Goose Van Schaick, Jan. 5, 1758; Rensselaer Nicoll, May 14, 1762; Abraham Ten Brock, March 4, 1773; Walter Livingston, March 22, 1774; John H. Ten Eyck, March 21, 1775; Volkert P. Douw, Jan. 6, 1778; Abram Ten Broeck, March 26, 1781; Leonard Gansevoort, March 19, 1794; John Tayler, Feb. 7, 1797; Nicolas N. Quackenbush, Jan. 13, 1803; David McCarty, March 13, 1804; Charles D. Cooper, March 29, 1806; Jacob Ten Eyck, June 8, 1807; Apollos Moore, June 6, 1812; James L'Amoreaux, March 15, 1828; Samuel Cheever, March 12, 1833; John Lansing, May 17, 1838; Peter Gansevoort, April 17, 1843; William Parmelee, June, 1847; Albert D. Robinson, Nov., 1851; George Wolford, Nov., 1859; Jacob H. Clute, Nov., 1863; Thomas J. Van Alstyne, Nov., 1871; John C. Nott, Nov., 1883.

COURT OF PROBATE.

By an Act of 1787, Surrogates were empowered to be appointed, the Judge of the Court of Probates holding jurisdiction in cases of decease out of the State, or of non-residents within the State. On March 10, 1797, an act was passed providing that the Court of Probate should be held in Albany, and that the judge and clerk should remove the books, papers and documents of that court to that city, and reside there. This court held appellate jurisdiction over the Surrogate's Court. On March 21, 1823, it was abolished, and its jurisdiction conferred on the Chancellor, who exercised it until the Court of Chancery was abolished in 1846.

Its jurisdiction was then conferred on the new Supreme Court. The records of this court were deposited in the office of the Court of Appeals at Albany. The following are the Albany County Judges of the Court of Probate:

Leonard Gansevoort, April 5, 1799; T. Van Wyck Graham, March 16, 1813; Gerrit V. Lansing, July 8, 1816.

SURROGATES.

Surrogates, under the first Constitution, were appointed for an unlimited period by the Council of Appointment, and an appeal lay from their decisions to the Judge of the Court of Probates of the State. Under the second Constitution they were appointed by the Governor and Senate for four years, and appeals lay from their decisions to the Chancellor.

The Constitution of 1847 abolished the office of Surrogate, except in counties where the population exceeded 40,000, and devolved its duties on the County Judge. In counties exceeding this population the Legislature may authorize the election of Surrogates. They are elected for six years, and are allowed to take the acknowledgment of deeds and administer oaths in the same manner as County Judges.

SURROGATES *of Albany County.*

John DePeyster, April 3, 1756; William Hannah, November 18, 1766; Peter Lansingh, December 3, 1766; Stephen DeLancey, September 19, 1769; John DePeyster, March 23, 1778; Henry Oothoudt, April 4, 1782; John De P. Douw, April 4, 1782; Abraham G. Lansing, March 13, 1787; Elisha Dorr, April 12, 1808; John H. Wendell, March 5, 1810; Richard Lush, June 11, 1811; John H. Wendell, March 3, 1813; George Merchant, March 17, 1815; Christopher C. Yates, April 19, 1815; Ebenezer Baldwin, July 7, 1819; Abraham Ten Eyck, Jr., February 19, 1821; Thomas A. Bridgen, April 11, 1822; Anthony Blanchard, April 9, 1831; Moses Patten, Febru-

ary 28, 1840; Anthony Blanchard, February 28, 1844; Lewis Benedict, Jr., June, 1847; Orville H. Chittenden, November, 1851; James A. McKown, November, 1855; Justus Haswell, November, 1859; Israel Lawton, November, 1863; Peter A. Rogers, November, 1871; Francis H. Woods, November, 1883.

#### DISTRICT ATTORNEYS.

This officer was at first Assistant Attorney-General. The counties were divided into districts, in which he had jurisdiction; hence the name of District Attorney. The act of February 12, 1796, divided the State into seven districts; that of 1801, into thirteen districts. By the laws of 1818, each county was constituted a separate district for the purposes of this office. Under the second Constitution, District Attorneys were appointed by the Court of General Sessions in each county. Under the Constitution of 1846, they were made elective.

Abraham Van Vechten, February 16, 1796; Samuel S. Lush, April 6, 1813; David L. Van Antwerp, June 21, 1818; Samuel A. Foote, July 3, 1819; Benjamin F. Butler, February 19, 1821; Edward Livingston, June 14, 1825; Rufus W. Peckham, March 27, 1838; Henry G. Wheaton, March 30, 1841; Edwin Litchfield, March 30, 1844; Andrew J. Colvin, March 21, 1846; Samuel H. Hammond, June, 1847; Andrew J. Colvin, November, 1850; Hamilton Harris, November, 1853; Samuel G. Courtney, November, 1856; Ira Shafer, November, 1859; Solomon F. Higgins, November, 1862; Henry Smith, November, 1865; Rufus W. Peckham, Jr., November, 1868; Nathaniel C. Moak, November, 1871; John M. Bailey, November, 1874; Lansing Hotelling, November, 1877; D. Cady Herrick, November, 1880.

#### COUNTY CLERKS.

The County Clerk, during the colonial period, was Clerk of the Court of Common Pleas, Clerk of the Peace, and Clerk of the Sessions of the Peace, in his own county. Under the first State Constitution, it was his duty to keep the County Records, and act as the Clerk of the Inferior Court of Common Pleas and Clerk of the Oyer and Terminer. These last duties were conferred upon him by the Act of February 12, 1796. The seals of the County Clerk were the seals of the Court of Common Pleas in their respective counties. County Clerks are now Clerks of the Supreme Court, Court of Oyer and Terminer, County Court and Court of Sessions. The term of office since the adoption of the Constitution of 1821 has been three years.

Ludovicus Cobes, 1669; Robert Livingston, 1675; Johannes Cuyler, March 2, 1690; Robert Livingston, 1691; William Shaw, 1696; Robert Livingston, 1705; Philip Livingston, 1721; John Colden, February 23, 1749; Harrie Gansevoort, September 25, 1750; Witham Marsh, 1760; Stephen De Lancy, January 25, 1765; Leonard Gansevoort, May 8, 1777; Matthew Vischer, 1778; Richard Lush, September 29, 1790; Charles D. Cooper, March 3, 1808; William P. Beers, February 28, 1810; Charles D. Cooper, February 5, 1811; John Lovett, March 3, 1813; George Merchant, March 31, 1815; Henry Truax, June 6, 1820; George Merchant, Feb-

ruary 19, 1821; L. L. Van Kleeck, November, 1822; Conrad A. Ten Eyck, November, 1828; Henry B. Haswell, November, 1837; William Mix, November, 1843; Lawrence Van Dusen, November, 1846; Robert S. Lay, November, 1849; Robert Harper, November, 1852; Robert Babcock, November, 1855; Smith A. Waterman, November, 1861; Giles K. Winne, February 9, 1865; Isaac N. Keeler, June 20, 1868; John McEwen, November, 1868; Albert C. Judson, November, 1871; William E. Haswell, November, 1874; John Larkin, November, 1877; William D. Strevel, November, 1883.

#### SHERIFFS.

This officer, during the colonial period, was appointed annually by the Governor-General and Colonial Council. Under the first Constitution, he was appointed annually by the Council of Appointment, and no person could hold the office for more than four successive years; he could hold no other office, and must be a freeholder. Since the adoption of the Constitution of 1821, he has not been required to be a freeholder, is elected for three years, and is ineligible for the next succeeding term.

John Manning, April 6, 1665; Gerrit Swart, Aug. 17, 1668; Andrew Draeyer, Oct., 1673; Michael Siston, Nov. 4, 1674; Johannes Provoost, Oct., 1677; Richard Pretty, Oct., 1678; Lodovicus Cobes, Oct., 1679; Richard Pretty, Oct., 1680; Gaspar Teller, March 1, 1691; John Apple, Dec. 1, 1692; Simon Young, June 19, 1696; Johannes Groenendyke, Oct., 1698; John Williams, Oct., 1699; Jonathan Broadhurst, Oct., 1700; Jacobus Turk, Oct., 1702; David Schuyler, Oct., 1705; Henry Holland, Oct., 1706; Thomas Williams, Oct., 1712; Samuel Babington, Oct., 1716; Gerrit Van Schaick, Oct., 1719; Henry Holland, Oct., 1720; Philip Verplanck, Oct., 1722; Thomas Williams, Oct., 1723; Goose Van Schaick, Oct., 1728; James Stephenson, Oct., 1731; James Lindsay, Oct., 1732; Henry Holland, Oct., 1739; John Rutger Bleeker, Oct., 1746; Jacob Ten Eyck, Oct., 1747; Thomas Williams, Oct., 1748; Richard Miller, Oct., 1749; Abraham Yates, Oct., 1754; Abraham Yates, Jr., Oct., 1755; Jacob Van Schaick, Oct., 1759; Hermanus Schuyler, June 18, 1761; Henry Ten Eyck, Oct., 1770; Hendrick J. Wendell, Sept. 27, 1777; John Ten Broeck, March 22, 1781; Hendrick J. Wendell, Nov. 29, 1782; John Ten Broeck, Sept. 29, 1786; Peter Gansevoort, Jr., Sept. 29, 1790; John Ostrander, Jr., Sept. 29, 1792; John Given, Sept. 29, 1796; Hermanus P. Schuyler, Feb. 25, 1800; John J. Cuyler, Jan. 28, 1801; Hermanus H. Wendell, Jan. 12, 1803; Lawrence L. Van Kleeck, Feb. 28, 1807; Solomon Southwick, Feb. 10, 1808; Jacob Mancius, Feb. 13, 1810; Peter P. Dox, Feb. 12, 1811; Jacob Mancius, Feb. 23, 1813; Isaac Hempstead, March 17, 1815; Leonard H. Gansevoort, March 6, 1819; Cornelius Van Antwerp, Feb. 12, 1821; Cornelius Van Antwerp, Nov., 1822; C. H. Ten Eyck, Nov., 1825; John Beckey (removed Oct. 5, 1829), 1828; Asa Colvard, Nov., 1829; Albert Artcher, Nov., 1831; Angus McDuffie, Nov., 1834; Michael Artcher, Nov., 1837; Amos Adama, Nov., 1840; Christopher Batterman, Nov., 1843; Oscar Tyler, Nov., 1846; William Beardsley, Nov., 1849; John McEwen, Nov., 1852; William P. Brayton, Nov., 1855; Thomas W. Van Alstyne, Nov., 1858; Henry Crandall, Nov., 1861; Henry Fitch, Nov., 1864; Harris Parr, Nov., 1867; George A. Birch, Nov., 1870; Albert Gallup, Nov., 1873; John Wemple, Nov. 6, 1876; James A. Houck, Nov., 1879; Wm. H. Keeler, Nov., 1882.



with his uncle, and the firm of A. & A. J. Parker (well known to the profession throughout the State) was not dissolved till Mr. Parker's appointment to the Bench in March, 1844.

During all that time Mr. Parker was engaged in a large professional business, perhaps more extensive and varied than that of any other country law office in this state. He soon acquired a professional standing that secured him a large practice as counsel in the highest courts of the state. He attended quite regularly the circuits of Delaware, Greene, Ulster and Schoharie counties, and occasionally those held in Broome, Tioga and Tompkins counties, and in other counties more distant, as well as the stated Terms of Chancery and of the Supreme Court, as the printed reports of those courts show. It has been said, by those acquainted with the subject, that at the time of his appointment to the Bench he had tried more cases at the Circuit than any other lawyer of his age in the State.

Mr. Parker always insisted that his success, in establishing a large practice as attorney and counsel, was owing to his promptness, system and method rather than to any other peculiar talent. It was the rule of his life never to fail to answer a business letter on the same day on which it was received, to send to his client a check for money collected by the first mail, and never to fail in keeping an appointment at the precise time fixed for it. This latter practice he never omitted on the bench, having rarely if ever failed to open his Court at the precise hour appointed. In this way he enforced the most punctual attendance of counsel, parties and witnesses, and by it he was enabled to accomplish much more business.

During the fifteen years of Judge Parker's practice, before he was appointed to the bench, he mingled somewhat actively in political contests of the day. In the fall of 1833 he was elected by the Democratic party to the Assembly without opposition, and served in 1834. In 1835 he was elected by the Legislature of this State a Regent of the University of the State, being then twenty-seven years of age, and was the youngest person ever elected to that distinguished trust. He held it for nearly ten years, and resigned it when appointed to the bench. In November, 1836, he was elected to the Twenty-fifth Congress to represent the district then composed of the Counties of Delaware and Broome. This time also he ran without opposition, no candidate being nominated by the opposite party. He entered upon the duties of the office at the extra session held in September, 1837, and served during the three sessions of that Congress. These were exciting and sometimes stormy sessions. The Sub-Treasury measure was proposed by Mr. Van Buren at the extra session of 1837, and was warmly advocated by Mr. Parker and others, but it did not secure the support of all the Democratic members. Upon it Congress was very nearly divided, and questions were frequently decided by the casting vote of the Speaker, Mr. Polk. It was not till a later Congress, when the measure had become better understood, that it was passed into a law,

and it still remains in force, its wisdom being now admitted by all parties.

During his service in Congress, Mr. Parker was actively engaged in the duties it imposed, on committees and in the discussions in the House. His speeches on the Mississippi Election case, on the Sub-Treasury bill, on the Public Lands, on the Cilley and Graves duel and on other subjects, are reported in the proceedings of that Congress. Hiram Gray, Richard P. Marvin, Henry A. Foster, Arphaxad Loomis, John T. Andrews and Amasa J. Parker were the last six survivors from this State of that memorable Congress.

Mr. Parker, at the close of his term, returned to the practice of his profession.

In the autumn of 1839 he was nominated as a candidate for State Senate from the Senatorial district then corresponding nearly in boundary to the present Third Judicial District of this State. There were two vacancies to be filled in addition to the term then expiring. There were, therefore, three Senators to be chosen. The year before, Alonzo C. Paige had been elected by less than fifty majority. But on this occasion the three Democratic candidates were all defeated by a majority little more than nominal.

In the spring of 1834 Mr. Parker was appointed District Attorney of Delaware County, which place he held for three years and till the expiration of his term, and was not a candidate for reappointment.

The later incidents of Judge Parker's life are more familiar to our readers. He was appointed, by Gov. Bouck, Circuit Judge and Vice-Chancellor of the Third Circuit on the 6th of March, 1844, and immediately removed to the City of Albany, where he has since resided. He held that office till the spring of 1847, when it was terminated by the adoption of the Constitution of 1846. He was then elected in the Third Judicial District a justice of the Supreme Court of this State for a term of eight years.

At no time in the history of this State have the judicial labors devolved upon a judge been more difficult and responsible than those which he was called on to discharge during his twelve years of judicial service. It was during this time that the Anti-Rent excitement which prevailed throughout a large portion of his judicial district was at its height, crowding the civil calendar with litigation, and the criminal courts with indictments for acts of violence in resisting the collection of rents.

The trial of "Big Thunder," before Judge Parker, at Hudson, in the spring of 1845, lasted two weeks, and the jury failed to agree. When the next Court of Oyer and Terminer was held in that county, Judge Parker was engaged in holding the Court in Delaware County, and Judge Edmonds was assigned to hold the Columbia Oyer and Terminer in his place. At that Court "Big Thunder" was again tried and was convicted and sent to the State prison.

In the summer of 1845 Osman N. Steele, Under Sheriff of Delaware County, while engaged with a posse in his official duties in the collection of rent

due from Moses Earle, at Andes, in that county, was violently resisted by about two hundred men armed and disguised as Indians, and was shot and killed by them. Intense excitement prevailed in the county. A great struggle followed between those who resisted and those who sought to enforce the laws.

On the 25th of August, 1845, Gov. Wright declared the County of Delaware in a state of insurrection, and a battalion of light infantry was detailed to aid the civil authorities in the preservation of order and the making of arrests. At the inquest held on the body of Sheriff Steele and at a Court of General Sessions, the whole subject was fully investigated. Some indictments were found for murder, but most of them were for manslaughter and lesser offenses.

Over two hundred and forty persons were indicted, most of whom were arrested and in custody awaiting trial at the then approaching Oyer and Terminer.

The regular jail and two log jails, temporarily constructed for the purpose, were filled with prisoners. Under these discouraging circumstances, and with armed men stationed in the Court room and throughout the village to preserve order, Judge Parker opened the Oyer and Terminer at Delhi on the 22d of September, 1845. A brief statement of these proceedings and an extract from the charge of Judge Parker to the Grand Jury will be found in the History of Delaware County, by Jay Gould, published in 1856 and dedicated to Judge Parker.

After charging the Grand Jury he gave notice that, whatever time it might take, he should continue to hold the court till every case was tried and the jails were cleared.

The indictments were prosecuted by the District Attorney, assisted by John Van Buren, then Attorney-General, and by Samuel Sherwood, a distinguished member of the Bar, then of New York, but who formerly resided at Delhi, and the prisoners were defended by able counsel, among whom were Samuel Gordon, Mitchell Sandford and Samuel S. Bowne.

John Van Steenburgh was first tried and convicted of murder. Edward O'Connor was next tried with a like result. Both were sentenced to be executed on the 29th of November, then next; four others were convicted of felony and sent to the State Prison for life, and thirteen were sent to the State Prison for different terms of years. A large number who had been engaged in resisting the sheriff, but who had not been disguised, pleaded guilty of misdemeanors. Some of these were fined, but as to most of them, and as to some who pleaded guilty of manslaughter, sentence was suspended, and they were told by the Court they would be held responsible for the future preservation of the peace in their neighborhoods, and were warned that if any other instance should occur of resisting an officer, or of a violation of the statute, which made it a felony to appear for such purpose armed and disguised, they would at once be suspected, and might expect to be called up for sentence.

Under this assurance they were set at liberty, and it is but justice to them to say that they became the best possible conservators of the peace, and that no resistance of process by violence has ever since occurred in that county.

At the close of the third week of the court, all the cases had been disposed of. No prisoners were left in jail except those awaiting execution or transportation to the State Prison; the military were soon after discharged, and the log jails taken down, and peace and good order have ever since reigned in the county.

A report of the trial of Van Steenburgh, with a note referring to the business of that court, will be found in *I. Park, Cr. Rep.*, 39. The sentences of Van Steenburgh and O'Connor were subsequently commuted by Gov. Wright to imprisonment for life; and, about a year later, all those in the state prison were pardoned by the successor of Gov. Wright.

Great credit was awarded to Judge Parker for his successful discharge of the delicate and difficult duties devolved upon him at the Delaware Oyer and Terminer, and at the next commencement the degree of Doctor of Laws was conferred on him by Geneva College.

As has been stated, Judge Parker's services as Circuit Judge and Vice-Chancellor terminated in 1847 by the adoption of the new state constitution of 1846, under which an elective judiciary succeeded to the exercise of the judicial powers of the state. In all the counties of the Third Judicial District, meetings of the Bar were held, and complimentary addresses to Judge Parker were signed, approving his judicial course, and from his associates on the Bench of the Rensselaer Oyer and Terminer he received a similar earnest recognition of his services and of their personal respect.

Judge Parker was one of four Justices of the Supreme Court, elected in the Third Judicial District in June, 1847, being chosen by a very large vote; and he entered upon the duties of this office on the first of July, 1847. During his term, he served one year, during the year 1854, in the Court of Appeals. His term of service as a Justice of the Supreme Court expired on the 31st of December, 1855. His opinions in causes pending in that Court will be found in the first twenty-one volumes of *Barbour's Supreme Court Reports*. In the year 1854 Judge Parker served in the Court of Appeals, and was there associated with Judges Gardner, Denio, Alexander S. Johnson, Allen and others. His opinions in that court are reported in 1st and 2d volumes of *Kernan's Reports*. Among those most worthy of reference, is the case of *Snedeker vs. Warring*, reported in 2d *Kernan*, 170, a case which attracted much attention at the time, for the reason that it presented a very nice question, and one that had not been before decided either in this country or in England. It was finally decided on the authority of cases adjudged under the civil law on the continent of Europe. It involved the question whether a statue, colossal in size, erected as an ornament on the grounds in front of a country residence, and securely attached to the earth by

its weight, was real or personal property. The case was argued by very able counsel, and it happened, by the practice of the Court, in turn, to fall to Judges Johnson and Parker to write opinions. At the close of the argument, as the judges were separating for the day, in a few words of consultation that took place between the judges who were to write, Judge Johnson said he had an impression that the statue was real property. Judge Parker said his impression was that it was personal. A month later, after both the judges had spent much time at the State Library in examining the authorities, but without having again spoken together on the subject, and after each had written his opinion, ready to be read and discussed at the next meeting of all the judges, Judge Parker met Judge Johnson and said to him: "I have changed my opinion, and have come to the conclusion that the statue is real property." And Judge Johnson said in answer, "and I have changed mine, and have concluded it is personal property." When the meeting of the judges was held for consultation soon afterward, both opinions were read after discussion; the vote stood four and four, and thus it remained till near the end of the year, when on further discussion and consideration, five voted with Judge Parker and two with Judge Johnson, and the case was decided.

Judge Parker was nominated by the Democratic Convention for re-election in the autumn of 1855, Ambrose Z. Jordan being the candidate of the Republican Party, then newly organized, and George Gould that of the "Know-Nothing," an American party. Prominent members of the last named party proposed to nominate Judge Parker, but he declined being its candidate. A very small vote was cast for Mr. Jordan, but Judge Gould was elected. That was the year when the American "Know-Nothing" party, suddenly springing up, swept the State by large majorities. Judge Parker was very largely ahead of his ticket, being beaten by the American candidate by only about a thousand votes; while the state officers on the American ticket in the same judicial district had a majority of several thousand.

Judge Parker then resumed the practice of his profession at Albany, and though afterward repeatedly offered nominations for the Supreme Court and for the Court of Appeals, when the Democratic party to which he belonged was in the majority in his district and in the State, he always declined, and preferred the independent practice of his profession.

In the fall of 1856 he was nominated by the Democratic State Convention for the office of Governor. The opposing Republican candidate was John A. King. Erastus Brooks was the "American" candidate. Though Judge Parker received several thousand majority in the judicial district where he was beaten the year before by about a thousand majority, he was defeated in the State, Gov. King being elected by a heavy majority. Mr. Buchanan, who was elected President that year by the votes of the other States, and against whom the majority in the State of New York was nearly ten

thousand votes more than the majority against Judge Parker, who ran largely ahead of his ticket, tendered to the latter offices of distinction, which the latter declined. And later in his administration, he nominated him for U. S. District Attorney for the Southern District of New York, and the nomination was confirmed by the U. S. Senate, without reference, but Judge P. refused to qualify, preferring his own private professional practice.

In the fall of 1858 the Democratic State Convention again nominated him for the office of Governor. His Republican opponent was E. D. Morgan, who was elected by about 17,000 majority, though Judge Parker ran again largely in advance of the rest of the ticket.

Since that time Judge Parker has not been a candidate for any office except that he was elected in 1867 a delegate from the County of Albany to the State Constitutional Convention, in which he served in the years 1867 and 1868, as a member of the judiciary and other committees. The judiciary article framed by that convention was the only portion of the constitution finally adopted by the people.

On Judge Parker's retirement from the Bench, he engaged at once in the practice of his profession at Albany, taking into partnership in 1865 his son, Amasa J. Parker, Jr., and adding to the firm in 1876 Ex-Judge Edwin Countryman, under the name of Parker & Countryman. He devoted himself with great industry and success to his professional duties. He had a great love for his profession and for the principles upon which the law and its administration are founded. He was engaged in a large professional practice and in many of the most important cases that have come into the courts, as is shown by the State and Federal Reports. Among the most notable litigations in civil cases was a question of the right to tax National Banks, which he argued before the Supreme Court of the United States, in the employment of the city of New York, reported in 4 *Wallace Rep.*, 244; and in this State, the title of Trinity Church to property in the city of New York; the Levy will case, reported in 33 *N. Y.*, 97; the famous controversy between the Delaware & Hudson Canal Company and the Pennsylvania Company; and that of the boundary line between the States of New York and New Jersey, reported in 42 *N. Y. Rep.*, 283. He rarely engaged in criminal cases, and his defense of Cole for the murder of Hiscock, and his acting in two or three other murder cases, were exceptional. He declined a retainer of \$5,000 offered him to act as counsel in the defense of Tweed.

With the late Judge Ira Harris and Amos Dean, he engaged, in 1851, in the founding of "the Albany Law School," which established a high reputation under their government and care, and he continued for about twenty years one of the professors in that institution, and resigned only because of the pressure of his professional practice. He had found time while on the bench and afterward for preparing for the press some law books which he thought needed, among which were six

volumes of *Reports of Criminal Cases*. He also, assisted by two other gentlemen of the profession, edited the fifth edition of the Revised Statutes of this State.

He was an earnest advocate of the reforms inaugurated in the State Constitutional Convention of 1847, by which the Court of Chancery was abolished and law and equity powers were vested in the same tribunal, and the practice of the courts simplified. He visited Europe in 1853 while similar reforms were under consideration in England, and, at the request of Lord Brougham, he addressed the Law Reform Club of England at its annual meeting, explaining to its members the results of his experience on the Bench in regard to the changes that had been made in this State, especially as to the administering of law and equity in the same Court.

In politics he was, throughout his whole life, an active member of the Democratic party. Believing thoroughly in the principles of that party as founded by Jefferson, and that their success was indispensable to the welfare and prosperity of the country, he advocated them with earnestness, but always with due respect for the judgment of those who differed from him.

He labored strenuously to avert the catastrophe of civil war, and presided at the famous State Democratic Convention held at Tweddle Hall, in Albany, in February, 1861. He always believed afterward, as he believed then, that with temperate counsels, on the part of the Republican leaders then about entering upon the control of the Federal Government, civil war could have been avoided; but when the first blow was struck at Fort Sumter, and rebellion was thus inaugurated, he did not hesitate to regard the die as cast, and became at once an earnest advocate of a vigorous prosecution of the war on the part of the Government, and freely contributed his own money and time to the raising of men and means for that purpose.

But his patriotism did not prevent his earnest protest against what he deemed the gross abuse of power practiced, for merely partisan purposes, by high Federal officials, in the making of unnecessary, arbitrary arrests of Northern men, whose only offense was an honest and independent difference of opinion, and a free confession of it, on subjects of mere party difference in no way involved in the prosecution of the war to put down the rebellion. This tyrannical exercise of power and gross violation of the right of personal liberty he stoutly resisted, and not only denounced it on the stump, at the hazard of his own personal liberty, but he freely gave his professional services to obtain redress for such wrongs.

A notable instance of this character occurred in the case of *Patin vs. Murray*, tried at the Greene Circuit before Judge Ingalls in June, 1864, by Judge Parker as counsel for plaintiff, in which a jury composed of men of both political parties gave to this plaintiff for such an arrest and false imprisonment a verdict of \$9,000 damages. An attempt was made to remove this case, after verdict and judgment, for retrial, into the U. S. Circuit Court, under an act of Congress that had been conveniently

passed for the purpose of defeating such recoveries. Judge Parker insisted that the act was unconstitutional, being in violation of the seventh article of the amendments of the U. S. Constitution, and under his advice the State authorities refused to make a return to the writ of error. Application was then made to the U. S. Circuit Court to compel the return, and on demurrer, a peremptory mandamus was adjudged. To review that judgment a writ of error was brought by Judge Parker, and the case was removed into the United States Supreme Court held at Washington. It was first argued, in that court, in February, 1869, by Judge Parker for the plaintiff in error, and by Mr. Evarts, then Attorney-General of the United States, for the defendant in error.

The Judges were divided upon the question and ordered a re-argument, which took place in February, 1870, Attorney-General Hoar then appearing for the defendant in error, and Judge Parker again arguing for the plaintiff in error. The judgment of the U. S. Circuit Court was then reversed and the unconstitutionality of the act of Congress was established.

The case is reported in 9 *Wallace U. S. Rep.*, 274.

During a long life of professional labor, Judge Parker never lost the tastes acquired in early life for classical study and literary pursuits, and he was in the habit of setting apart a stated portion of his time for such purposes. He enjoyed an occasional return to the reading of the Greek and Roman authors; and those, with the attention given to the current literature of the day and a mingling in the duties of social life, afforded him an agreeable relaxation from severer studies and a healthful change to the mind. These tastes brought him in connection with the educational institutions of the State, in several of which he served for many years as a Trustee.

Among other duties of that character, he was for many years President of the Board of Trustees of the Albany Female Academy, President of the Board of Trustees of the Albany Medical College, a Trustee of Cornell University, and one of the Governors of Union College.

When a member of the Assembly in 1834, Mr. Parker, as chairman of a select committee, had made an elaborate report urging the establishment of a State Hospital for the Insane, which led to a more full consideration of the subject by the people, though it was not till several years afterward that the first State Hospital for the Insane was established. Doubtless it was owing to the interest Mr. Parker had taken in the subject that he was, afterward, appointed by Gov. Fenton one of the Trustees of the Hudson River State Hospital for the Insane at Poughkeepsie, a trust which he held till 1881, when he resigned, and Gov. Cornell appointed the son of Judge Parker in his place.

Judge Parker married, in 1834, Miss Harriet Langdon Roberts, of Portsmouth, New Hampshire, and of his large family of children, Mrs. John V. L. Pruyn, Amasa J. Parker, Jr., Mrs. Erastus Corning and Mrs. Selden E. Marvin, all residents of Albany, still survive.

## HAMILTON HARRIS.

While a biographical memoir ought to be strictly adapted to its subject in all its lights and shades, it ought also, with a certain measure of independence in the writer, to be adapted as far as possible to various tastes.

The reflective man will read it for instruction, the frivolous for amusement, and the critic, according to his disposition either to detect faults or to display its beauties.

The first will require fidelity in the narrative; the second, variety in the incidents, and the third, a watchful attention to the rules of good writing. But, after all, the success of the biographer depends upon the character he describes, just as the pencil of the artist depends for success on the contour of the features he reproduces upon canvas.

In entering upon the duty of presenting to all classes of readers the life and career of Hamilton Harris, such are the facilities presented in the mind, character and career of our subject, that we feel a consciousness that the fault will be ours if the mental portrait we are about to give is deficient in its lineaments or wanting in that which truth demands; for there are elements in his character which should render the task successful.

No name is more conspicuously associated with the Albany, and we may well say with the State Bar, than his. Few lawyers have brought to the Bar a more energetic mind, a more fortunate combination of legal and scholarly acquirements, or stronger or more practical administrative abilities.

"All professions," says Burke, "particularly the legal, narrow and dwarf the intellect by chaining it rigidly to rules, precedent and procedure." Doubtless Mr. Harris has felt the full force of this remark, for he has always found time in the midst of his most engrossing political and official duties to continue his early classical studies, and a critical reading of history, and the productions of the great English writers. In literature as well as law he has submitted to the most laborious and persevering process of private study.

In the preparation of this biography reference has been had to the public journals of the day, from which extracts have been freely made.

Hamilton Harris was born at Preble, Cortland County, N. Y., May 1, 1820. His parents were natives of the State of New York, but his father was of English and his mother of Scotch descent. At an early period in the history of Cortland County they settled at Preble, and they may therefore be regarded as pioneers of that delightful part of the State. When old enough, young Harris began his education in the common school of his native town, and after mastering all the branches taught there, he entered Homer Academy. After successfully pursuing his studies in that institution for a time, he became a student in the Albany Academy, where he completed a preparatory course for college. He entered Union College in the class which graduated in 1841. At college he was known as a diligent and successful student. We are assured that there was much in his collegiate

course that pointed to future success in life. He was vigorous in health, elastic in spirits, in temper enthusiastic yet self-governed, with powers active and well disciplined, and thus he was in every way fitted to enter upon this critical era of his life well prepared for the intra-mœnial influences which surrounded him.

The little strifes, rivalries and jealousies of Union were encountered with the same equanimity of temper with which he encountered the more engrossing rivalries and contests of the Bar, and his own rank in scholarship was from the beginning to the conclusion of his collegiate career of the highest order.

In 1841 he was graduated with a high reputation as a classical scholar. He distinguished himself at the commencement exercises by a very able and admirably delivered address. The magnitude of the subject was equaled by the maturity of thought which he brought to its consideration, and it was indeed as strong in reasoning as it was elegant in diction.

All of the college productions of Mr. Harris indicate his conviction that language is not merely the dress, but the very body of thought; that it is to the intellect what the muscles are to the principles of physical life; that the mind acts and strengthens itself through words; that it is chaos till defined and organized by language. The attempt to give clear, precise utterance to thought is one of the most effectual processes of mental discipline. Of his graduating address we shall have occasion to speak hereafter.

Through all his college course it was evident that the mind of Mr. Harris was gravitating toward the legal profession. At this time the Hon. Ira Harris, his brother, afterward one of the ablest and most eminent of the Judiciary of the State and a United States Senator, was and had been for a long time in the midst of an extensive practice at the Albany Bar. Young Harris entered his law office as a student, where he carefully and laboriously prepared for his admission to the Bar. His call to practice took place in 1845. Having decided to make Albany his future residence, he opened an office in that city and began the practice of his profession.

Though surrounded by learned, experienced and gifted rivals, the progress of his reputation was soon a matter of common remark; he seemed to possess a natural adaptation for legal polemics; he entered the contests of the Bar with an industry which no excess of toil could weary, and with a self-command and practical ability which showed that he possessed *in extenso* the qualities and acquirements which would soon render him an accomplished advocate. He gradually exhibited a masculine eloquence which ignored superfluous decoration and fancy, alike strong in reason, attractive in ethical beauty and logical skill.

The following are his business connections which have diversified his legal life. In 1848 he became a partner with Hooper C. Van Vorst, afterward a Judge of the Common Pleas of New York City. This relation was dissolved in 1853 by the removal



of Mr. Van Vorst to the City of New York. Soon after this he was associated with Samuel G. Courtney, a son-in-law of Daniel S. Dickinson, and for several years United States District Attorney for the Southern District of New York.

In 1857 he formed a copartnership with those brilliant lawyers, Clark B. Cochrane and John H. Reynolds. This was one of the strongest legal firms that ever existed in Albany.

During this connection Mr. Cochrane and Mr. Reynolds both became Members of Congress. The copartnership ended with Mr. Cochrane's death in 1867, but Mr. Harris and Mr. Reynolds continued their association till the latter's death in 1875.

Mr. Harris has now associated with him in the practice of his profession his son, Frederick Harris, and William P. Rudd.

In the autumn of 1853 he was nominated and elected District Attorney of Albany County, serving until January 1, 1857. Mr. Harris' administration of this important office is remembered as largely enhancing his reputation and advantageous to the public. During his administration he conducted several of the most important and stubbornly contested prosecutions for murder ever tried at the Albany Bar; indeed, we know of few more important cases in legal history.

Among these was the trial of the People *vs.* Hendrickson, indicted for the murder of his wife by poison, in 1853, and the several trials of McCann for the murder of his wife in 1856.

Mr. Harris entered upon his duties as District Attorney of Albany County on the first day of January, 1854. Hendrickson had been tried and convicted of murder in the first degree, but the prisoner, through his counsel—Hon. John K. Porter—had brought error to the Court of Appeals, and it had not been argued when Mr. Harris entered upon his duties, and the duty of conducting it in the Appellate Court fell upon him.

Mrs. Hendrickson died suddenly at Bethlehem on the morning of March 7, 1853. She was discovered by her husband dead in bed, at about two o'clock in the morning. He aroused the family, who saw by her appearance that she had been dead but a few moments. In the evening of that day, at the Coroner's inquest, Hendrickson stated under oath the circumstances of her death. He said he went to church with her in the afternoon of the day previous, returning in the evening; his wife complained of ill-health, retiring about eleven o'clock. He awoke at about two in the morning by a noise in the barn. On speaking to his wife, he found her motionless, and her face cold; thinking her dead, he alarmed the family.

When asked as to his having been in Albany, he said: "I was there two weeks ago last Saturday." "Have you been there since?" After pretending to reflect, he said: "Oh, yes, I think I was there one week ago last Saturday." "Have you not been there since?" He replied: "I was there last Saturday." When asked what he went for, he said he took a load of timber to the mills there; his brother was with him; he then gave the names of the different places he visited with his brother.

He did not remember going to Springstead's drug store, nor any other drug store. When the question was again directly put to him, "Were you not in some drug store in Albany?" he was in a somewhat reclining position in his chair, as if grieving; the question seemed to startle him, and, after some hesitation, he finally replied: "I do not remember." On the trial, the People offered to prove the statements of Hendrickson before the coroner. The evidence was objected to as inadmissible, but the Court admitted it under an exception. The People offered to prove, as a motive for the act, that Lawrence Van Duzen, the father of Mrs. Hendrickson, by his last will, gave all his property to his wife for life, with a remainder over, one-half to his only son, the other half to be equally divided between Mrs. Hendrickson and her sister. This evidence was objected to, but admitted under an exception. This case required in the counsel for the People, not only great legal learning, but a thorough acquaintance with medical jurisprudence, particularly in the science of toxicology, as it was insisted that the victim died from the effects of strychnine. Hendrickson was convicted, as before stated, and sentenced to be hanged.

The duty of conducting this case in the Appellate Court placed Mr. Harris in a most responsible position, involving much labor and learning. The counsel for the defense relied upon their exceptions to the admission of the evidence we have referred to as involving sufficient error to give them a new trial.

The exhaustive and admirably prepared brief of Mr. Harris, and its logical reference to authorities, on which was founded a very able argument, fully sustained the rulings of the Judge at the trial, and in due time the decision of the Court was handed down, affirming the conviction of Hendrickson. The case was reported in 10 N. Y. Reports, 13.

The trials of McCann, for the murder of his wife, which took place July 8, 1856, was another great case. On the morning following her death, the dead body of Mrs. McCann, the wife of the prisoner, was found on the floor of one of the rooms in the house occupied by him and his wife, with a ghastly wound over the right eye, which fractured the skull and opened the brains. There were eight wounds on her head, disfiguring her to such an extent that those who knew her best could hardly recognize her. Suspicion at once fell upon McCann. There were several strong motives proven that induced him to commit the murder, and it was evidently done with deliberation—as the law has it, "with malice prepense." He was indicted and brought to trial at a Court of Oyer and Terminer, in November, 1856. Mr. Harris as District Attorney appeared for the People; Hon. Lyman Tremain, Hon. Rufus W. Peckham and J. M. Kimball, Esq., conducted the defense, which was insanity. It was insisted by the defense that McCann killed his wife while suffering from delirium tremens, under the delusion that he was resisting the attack of persons determined to kill him. There were several circumstances proved

which the defense insisted established this theory, one of which was that McCann used two axes in killing his wife, or rather that he killed her with one ax and chopped her to pieces with another; that he seized them both to fight the men whom he believed were assaulting him. He made no attempt at flight, but remained near the body of his victim nearly all night. Neither did he make any attempt to conceal the body.

The defense of delirium tremens was held to be no defense until Chief-Justice Story laid down the law which settled that a man committing a crime, suffering under this disease, is not responsible for it.

The defense summoned to the trial some of the ablest physicians of the times, including Dr. Alden March, Dr. Thomas Hun, Dr. S. O. Vanderpoel, Dr. J. Swinburne and Dr. B. P. Staats.

It is said that Mr. Tremain never in the course of all his practice made a more powerful defense than on this trial. Mr. Harris, however, was equal to the occasion. His cross-examination and examination of the medical witnesses might easily have caused a stranger to believe him some eminent physician, experienced in treating cases of insanity, so ready was his understanding of that disease.

The medical testimony was of great value, and has been repeatedly used as precedent in similar cases, particularly that of Dr. Hun. It is doubtful whether the subject of delirium tremens was ever more admirably dissected or more ably explained than on this trial.

McCann was convicted and sentenced to be hanged.

The execution was fixed by the judges on January 23, 1857. A few days before the execution was to take place his counsel removed his case to the General Term, where the conviction of McCann was affirmed. From the judgment of the General Term his counsel brought error to the Court of Appeals, and after argument of Messrs. Peckham & Tremain on the part of the defense, and of Mr. Harris on the part of the People, a new trial was ordered.

The new trial commenced in November, 1857. Another long and exciting contest took place, resulting in the disagreement of the jury. In March, 1858, McCann was again placed at the bar for trial, and for the third time the public interest was aroused over this truly great case. This trial, like the second, resulted in a disagreement of the jury, there being eleven for conviction and one for acquittal. The jury deliberated nearly sixty-three hours, and during all this time the one juror stood alone against the pressure of his fellows.

To use the language of a leading journal of the day:

"The case was summed up for the defense by the Hon. R. W. Peckham in a most admirable manner. He was followed by Hon. Hamilton Harris on the part of the People. The intense earnestness and powerful eloquence of this gentleman gave him in this case, as in all others, great influence with the jury."

A proposition was finally made to have McCann plead guilty to manslaughter in the first degree,

which was accepted by Mr. Harris, and the prisoner was sentenced to State Prison for life. Thus ended a trial which is without precedent in the criminal trials of the State. The case is reported in 16 N. Y. Reports, 58, and is regarded as an important and leading one.

Among other important murder cases which Mr. Harris conducted were those of *The People vs. Phelps*, *The People vs. McCrossen*, *The People vs. Dunnigan* and *The People vs. Cummings*. In all these cases Mr. Harris was opposed by the ablest lawyers of the time. The success that attended him sufficiently attests his accomplishments as a prosecuting officer. The comments of the press upon the manner in which he conducted his arduous duties are gratifying testimonials.

One important criminal case in which Mr. Harris appeared against the prosecution was the case of *The People vs. Reimann*, indicted for complicity in the murder of Emil Hartung. Reimann was at first indicted as accessory before the murder, the principal being Mrs. Hartung, wife of the deceased, but he was subsequently indicted as principal for causing Hartung's death by administering to him arsenical poison. The case created great interest; indeed, there were features in it which invested it with dramatic interest.

Mr. Harris appeared for the defense; the prosecution was conducted by District Attorney Ira Shaffer, assisted by Samuel G. Courtney.

Mrs. Hartung had been convicted of the murder of her husband by poisoning, and was sentenced to be hanged. It was contended by the counsel for the People that Reimann was her guilty paramour. She was a handsome and attractive woman, with whom Reimann was passionately in love, and he aided in the taking off of her husband, to permit him to marry her. Much time was consumed in obtaining a jury, and more in taking the evidence. After the people rested, Mr. Harris made a motion for the discharge of Reimann on the ground that the evidence was insufficient to convict him. The motion was supported by an elaborate and cogent argument, to which Mr. Courtney replied with force and eloquence. The Hon. George Gould, who presided at the trial, after a learned and critical review of the whole evidence and the argument of the respective counsel, granted Mr. Harris' motion, and Reimann was discharged. But there were two more indictments against him; one for being accessory before the fact, the other for being accessory after the fact, and he was remanded to jail. A motion soon followed to admit him to bail, and another sharp legal contest ensued. He was finally discharged.

A history of the *causes celebres* in which Mr. Harris has been engaged has filled volumes, interesting to both practitioner and student. From 1816 down to 1876 there had been forty-three murder cases tried in the County of Albany, and Mr. Harris appeared as the leading counsel in no less than ten, either for the People or the defense.

Though he is not what might be termed a criminal lawyer, it has been his fortune, as we have seen, to be engaged in very many important crimi-

nal trials. This practice has always had strong attractions for accomplished legal minds; it gives ample room for the exercise of well-disciplined imagination and sympathy; it gives scope to a critical knowledge of the Statute laws, common law and the law of evidence. It requires a deep insight into the springs of human action; therefore no man can become a really successful criminal lawyer without becoming equally successful in other departments of practice.

By a well-sustained progress Mr. Harris has attained a reputation in the trial and argument of civil actions that ranks him among the ablest lawyers of his time.

As he advanced in his profession he devoted himself exclusively to civil business, to the entire exclusion of the criminal, and the result has been that he has enjoyed for a long time an extensive and lucrative practice as well as a high reputation in the courts. The reported cases in the Supreme Court and the Court of Appeals argued by him show in some degree the extent of the business and the magnitude of the cases in which he has been engaged and the important questions of the law which he has argued. The following quotations from leading newspapers express the public estimate of Mr. Harris as an advocate. The *Albany Press* of January 6, 1884, in a review of the lawyers of Albany, says of Mr. Harris: "He is an able and adroit lawyer, logical in argument and brilliant in speech. He excels more especially as a jury lawyer, and as such ranks among the best at our bar." The *Albany Evening Journal* of January 17, 1885, in speaking of Mr. Harris' law firm, said:

"It possesses probably the largest and most lucrative patronage, and is one of the most successful firms in Albany. To this result Senator Harris' eminent ability as a pleader, his thorough knowledge of the law, his forensic powers and his winning personality have largely contributed."

The *Albany Argus* of May 10, 1885, in commenting upon an important railway case then being tried at the Circuit Court, spoke of Mr. Harris as follows:

"No man could study a case harder than does Hamilton Harris. He masters every detail of fact, knows exactly what his witnesses will testify to, and as for the law, long experience in this class of cases has made him, so to speak, an encyclopedia of railroad decisions. Hamilton Harris' manner in court is quiet and highly dignified. He pays close attention to the conduct of the case. His voice is strong and harsh to one unaccustomed to hear him speak, and his style of delivery is plain, but earnest and effective. His manner is blunt, gruff and, to a certain extent, dictatorial; but no juryman ever sat in a box and listened to him through a case without feeling that, back of his manner, was not only great power of mind, but an honest, kindly heart. Few lawyers conduct a case with so much earnestness. When you hear him speak, you feel immediately that he is in earnest. This quality and his shrewdness and policy make him one of the most successful lawyers that ever defended a corporation."

Our space will not permit of a general review of the important civil cases in which he has been engaged. We shall only allude to two of the later ones, which were of great public interest, and in which Mr. Harris won great distinction throughout the State.

During the Legislative session of 1884 William McDonald was arraigned at the bar of the Senate for refusing to answer questions before a Legislative committee. He was committed by the Senate to imprisonment in the common jail for contempt. In proceedings taken in the courts for his release Mr. Harris appeared as one of his counsel, and his argument for McDonald, which required and received at his hands as much research and learning as has been displayed in any case brought before the courts in late years, greatly extended his reputation as a profound lawyer. The commitment was declared by the General Term of the Supreme Court illegal, and McDonald was discharged. The case is reported in 32 Hun, 563.

During the Legislative session of 1882 Mr. Roosevelt preferred charges against Mr. Justice Westbrook, of the State Supreme Court, for misfeasance and malfeasance in the discharge of his judicial duties. It was alleged, among other things, that the Judge, "Without stint and without regard to judicial propriety, had appointed relatives to office, in which they had received large fees; that he had been guilty of judicial impropriety in the celebrated Manhattan Elevated Railroad case; that he had improperly given advice aiding the defense of the Manhattan Company, and that he had improperly informed Jay Gould and others touching certain actions of the Court." The charges against the Judge, taken together, made a strong *prima facie* case against him. The alleged facts were ingeniously marshaled and strengthened by accumulated allegations. They were sent to the Judiciary Committee of the Assembly for investigation, after a spirited debate.

Mr. Harris was retained by Judge Westbrook to conduct his case before the committee. The investigation before the committee began on April 21, 1882, and finally closed on the 27th of the following May, Mr. Harris making the closing argument.

Judging from the comments of the press, his argument was one of extraordinary power and eloquence. The *Troy Press*, speaking of it, says: "The argument of Mr. Harris was very able, and exposed the wickedness and absurdity of the charges against Judge Westbrook." The *Albany Evening Journal* says: "There can be no answer to Mr. Harris' defense of Judge Westbrook, the only counsel before the committee who can be truly said to enjoy a large experience in his profession."

The *New York World* of May 29, in an able review of the case, said: "Mr. Hamilton Harris' argument in vindication of Judge Westbrook fills a closely printed pamphlet of nearly fifty pages; but so close and clear is his presentation of the case, that no lawyer will object to its length." After quoting to some extent from the argument, the review continues its favorable comment upon it, and the whole article is highly complimentary to Mr. Harris. The Judge was honorably acquitted.

We have thus given a sketch of Mr. Harris as a lawyer. We shall now briefly consider his political career, which, though extended, has been subordinate to his profession.

Quite early in life he became prominent in the Whig party in Albany County, advocating its measures on the platform and with his pen with such fidelity and ability that he soon took his place among the leaders of the party in the county and State. In the autumn of 1850 he was elected member of Assembly from the County of Albany. It was at this session of the Legislature that the building of the State Library and the improvement of the State Capitol became a prominent subject of legislation. Its success was largely due to the efforts of Mr. Harris. He was also a member of the joint committee of six to call State conventions and to construct a new party platform, which was one of the first steps in the formation of the Republican party. Mr. Harris aided largely in founding the Republican party, and has always been justly regarded as one of its strongest and ablest champions. From 1862 to 1870 he was a member of the Republican State Committee; from 1862 to 1864 he was chairman of the Executive Committee; from 1864 to 1870 he was chairman of the Republican State Committee, in which position he displayed great executive ability, and by his skillful political management more than once led his party to victory in closely contested State elections. As has been said of him by a prominent writer: "His keen intuitions and his rare skill as an organizer, with a singular union of discretion with boldness, render him a natural leader of men." As a delegate in many State and national conventions, Mr. Harris was active and strongly influential in sustaining the measures of his party.

At the Legislative session of 1865 the question of erecting a new capitol at Albany, which had been agitated for many previous sessions, culminated in more decisive action. Mr. Harris was elected President of a new Board of Capitol Commissioners, serving until 1875 with ability and success so marked that he has been frequently termed "The Father" of that great measure. The *Buffalo Commercial Advertiser*, commenting upon the subject, says: "Let the people of Albany remember that to Hamilton Harris more than any other man they are indebted for the new capitol from its inception in 1865 to its progress in 1879."

To this the *Albany Evening Journal* made answer: "Never fear: Albanians will always remember it." The *Albany Express*, speaking of Mr. Harris' labors in behalf of the new capitol, says: "In other hands all the doubtful elements of the situation would have worked against it. Not so in the hands of Mr. Harris. The leader of the Senate, by force of character, and with a strong cause committed to him, his uniform courtesy and persistent labor carried the project through the crisis." The *Albany Evening Journal*, the *New York Sun*, the *Ogdensburg Journal*, the *Troy Daily Times*, all contain extended editorials commendatory of Mr. Harris' able and successful efforts in behalf of the new capitol. The latter paper, in speaking of the structure, says: "The father of this structure, which is to rank foremost among the majestic buildings of the world, is Hamilton Harris. Albany owes a debt of gratitude to Senator Harris

for his advocacy of the stupendous enterprise and for his labors in carrying it on, which it can never repay." He studied hard to devise means to have the new building completed as soon as possible, without having the burden of taxation fall upon posterity. His bills relating to the matter were framed with great fairness, practicability and good sense, and the citizens of the State of New York will always applaud his earnestness, zeal and perseverance in the great cause in which he was enlisted.

In the autumn of 1875 he was elected to the Senate of the State from his district. On taking his seat in that body he entered into its deliberations and its proceedings with a facility that indicated natural legislative abilities.

As chairman of the Finance Committee, of the Committee on Joint Library, and of the select Committee on Apportionment, his labors were useful and exhaustive.

On the floor of the Senate he always took a prominent part in the discussion of leading public questions; his arguments never failed to command respect and attention.

At the expiration of his Senatorial term he was, in 1877, re-elected by a large majority. Having served his second term in a manner which brought to him high Senatorial honors, he decided to abandon public life and devote himself exclusively to the extended duties of his profession. From this resolution he has deviated but in one instance. In the fall of 1884 he ran as one of the Republican Electors on the State ticket. In October, 1879, his name was prominently brought forward for reelection to the Senate, and under circumstances so flattering that few could have resisted the nomination. But Mr. Harris, adhering to his resolution, on October 3, 1879, in a brief note published in the *Evening Journal*, most respectfully, but peremptorily, declined to accept the nomination under any circumstances.

Among his Senatorial addresses which have passed into history are those touching the New Capitol; on the question of Convict Labor; on the Grand Army bill; on the question of historical societies holding real estate for preservation and monumental purposes; on Higher Education; on Sectarian Appropriations, and on Taxation. He closed his Senatorial career under the following high tribute from the *Morning Express*: "Mr. Harris is a natural leader; he unites discretion with boldness. His zeal is regulated by mature reflection. His knowledge of men is intuitive, and his intuitions have been sharpened by wide intercourse. He is a close thinker, a cultured scholar, a thorough lawyer, a skillful organizer and ready debater, and he has a wide knowledge of, and devotion to, the interests of the State."

We shall close our sketch with some remarks touching his literary acquirements and labors, and as we conceive him to be in private life.

Mr. Harris is one of those who believe that to complete a lawyer's education, to enable him to take an elevated position in it, much more is needed than mere knowledge of law; but that he should

honor and cultivate, as unspeakably useful, that literature which corresponds to and calls forth the highest faculties, which expresses and communicates energy of thought, fruitfulness of invention, force of moral purpose, a thirst for the true and a delight in the beautiful.

Mr. Harris has exhibited his literary taste and culture, and abilities as a writer, on the lecture platform, and as a speaker in the popular assembly. He possesses the rare faculty of putting his readers or his audience in full possession of his thoughts, and in keeping the communication between himself and them always open; always avoiding those affected grasps after originality on the one hand, and that sickly prettiness of style on the other, so much sought after by commonplace lecturers and writers.

Several of his addresses have been published. We cannot avoid, in this connection, some reference to an admirable lecture delivered by him on the subject, "Politics and Literature," before the Young Men's Association of Albany. To use his own language: "Politics and Literature was the theme of the speaker long years ago, when he bade 'good-by' to college halls and boyish fancies, and stepped upon the stage of active duties to play his humble part in the great drama of life."

Mr. Harris took up his subject from the standpoint of long experience, as he says, in the struggles of the world; and thus it was full of most valuable thoughts and suggestions. The *Albany Argus*, in speaking of it, says: "Mr. Harris was able to give to the literary discussion of politics in the abstract the fruits of an experience in the concrete which few men can claim—an experience which has covered a long period of time, notable associations, occasional vicissitudes and refreshing successes."

He denied that public men and politicians are absolved, in any degree, from the obligations of strict honor and morality. He insisted that political power is not a prize which justifies mean acts and compliance with usages that would be scorned in private life; that platitudes, intrigues, hollow pretensions and appeals to base passions deserve signal rebuke when employed to compass political ends.

"The man," said the lecturer, "who devotes himself to politics as a business, for the purpose of securing position for support, is worthy of little consideration, and gathers the least satisfaction that can be derived from any of the employments of men. His existence is a miserable one of servility and solicitation, delays and disappointments, to end generally in poverty and obscurity. He who would best serve the state and win a name and secure public confidence should possess lofty principles, a keen faculty of vision to discover the wants and interests of society, an accurate acquaintance with current events, opinions and social tendencies, a deep penetration into the motives of human action, and a clear determination of the results of measures and movements."

The manner in which Mr. Harris illustrated the advantage of combining literary attainments with political acumen was very forcible and happy. He gave many instances from history, where the treasures of literature increased the usefulness and strength of political labor.

"The low ambitions of life," he said, "and the grosser pleasures of sense, are characteristic of the illiterate. Literature is the source of refinement and enlightenment; it imparts wisdom, elevates thought and adorns character."

The numerous favorable comments of the press upon this address evince at once its ability and its effect upon the public mind.

An address delivered by Mr. Harris before the Young Men's Association of Albany, on "The Tower of London," was a production that created great interest on its delivery, and was eagerly read after its appearance in the public journals. It is remarkable for its historic research, and for the pleasing diction with which he so vividly described that grand old fortress of the past, around which so many historical incidents cluster, and where so many precious relics of the grandeur, power, and, we may say, weakness of England are gathered. This structure has often been described by tourists, but few, if any, have described it in the manner and in the light of history, which Mr. Harris did in his address.

"Its story" he said, "is interwoven with the annals of Great Britain. The historic memories of eight centuries cluster around it. The history of many of the bravest as well as the darkest deeds of the Empire is written in its walls. With it is associated the glory of proud triumphs and gorgeous ceremonials, together with the pathetic and tragic vicissitudes and mutations of human fortune."

These deeds and the worthiest actors in them attracted the pen of the lecturer. His portraiture showed a wide range of reading and the appreciative and discriminating hand of a close student.

Another of his productions which was listened to and read with interest was his lecture before the Young Men's Working Society. The subject was "No Royal Road to Knowledge."

A Fourth of July oration, delivered by him in early life before the Young Men's Association of Albany, was quite out of the order of such productions in thought and originality.

We might take many interesting extracts from many other addresses and give extracts from many of Mr. Harris' literary productions, but space will not permit. It is proper to say, however, that some of his most pleasing productions are his memorial tributes to departed distinguished jurists and legislators. Perhaps nowhere in the language of eulogy can there be found a more well-deserved and more touching and well-expressed tribute than that paid by Mr. Harris to the memory of John Morrissey in the Senate of this State.

The "Memorial Wreath," as he appropriately called his beautiful eulogy upon that great lawyer and beloved citizen, Lyman Tremain, commanded general admiration, in that, as in all other like productions, Mr. Harris did not become the extreme panegyrist. He drew his mental portrait with truth to the original, avoiding on the one hand inordinate praise, and on the other a stinted denial of true merit.

His tribute to James A. Garfield was a most adequate eulogy upon the Glorious Martyr. It was a touching and attractive portraiture of the martyred President drawn with a master hand, guided by an opulent mind.

The literary taste of Mr. Harris is exhibited in his elegant home, which abounds in books. The recondite productions of great and gifted writers of all ages are found in his large, valuable and carefully selected library. To use the language of another, "Mr. Harris has made the selection of books a specialty; he has brought together on his shelves all the principal works of eminent English and American statesmen, orators, poets, jurists and scholars from Lord Bacon to Edward Everett." He spends much of his time in his library; to him it is peopled with living minds, speaking to him of history, of philosophy, eloquence and all the riches of ancient and modern literature. Here voices come to him from the Athenian Arena; from the Roman Forum; from the English Parliament; from the American Senate; from our own great scholars, writers and scientists; from the Bench and Bar of the world.

It is natural that a mind thus devoted to books and research should be a friend to the cause of education and the diffusion of knowledge by the establishment of schools and colleges. And we find that not only in private life, but in his legislative career, he has been the warm advocate of the cause of popular and higher education.

One of his ablest speeches in the Senate was in support of higher popular education. This speech, which was widely circulated through the State by the friends of popular education, was delivered January 29, 1879, in committee of the whole, having under consideration the Governor's Message.

That document recommended the abandonment of the system of aiding the public high schools, which had prevailed so many years in the State. The Governor in his Message took strong grounds against the State's aiding in giving higher education to the children of the poor, terming it legalized robbery to do so. Hon. Thomas C. E. Ecclesine, Senator from the City of New York, strongly sustained the Governor in a speech delivered in the Senate. He insisted that higher education disqualified the poor for the duties and labors to which alone they are by nature adapted, and that injustice is done by trying to educate the children of the poor for callings which they can never fill.

This attack upon the education of the poor brought Senator Harris to his feet, and he repelled it in the admirable speech to which we have alluded. The debate was long and ardent, continuing at intervals until the 5th of February, 1879, when Mr. Harris closed it. He reviewed the various laws which had passed favoring popular education and the great advantages flowing to the people from these laws.

"The true theory," he said, "upon which the State educates its children is not simply for the benefit or advancement of the individual, but it is to enlarge his mind and elevate his character, so as to increase his efficiency and value as a citizen, and thus add power and influence to the community in which he lives, contributing thereby to the prosperity and elevation of the State. The time has arrived in the history of the world when a nation takes rank according to the intelligence and elevation of the people. The hope for the prosperity of free institutions especially rests upon popular education." Again Senator Harris said that "the doctrine that higher education disqualifies the

poor for their duties and labors is the old doctrine of caste and aristocracy, which debars the people of despotic countries from rising above the condition in life in which they were born. It is the expression of the belief that all men are not equal. It is the utterance of a disbelief in the first principles upon which our government was founded. It is not the doctrine of America, which throws wide open the door of every school-house, that all children may receive the benefit of the best education, so that they may better their own condition in life, and thus better the condition of the State itself. If the views of the Governor should be adopted, the State would step back a half century instead of advancing, and the children of poor men would have to dismiss all desire and ambition to improve their condition, and be kept in the position in which they found themselves by the accident of birth. Many of our greatest men, men of eminence in public life and in the professions, have been taught in our free schools, and sprung from the lower conditions of life. Had the views of the Governor prevailed, many of the men who have molded the opinions of the country, framed its laws and upheld its institutions, would have been forced to pass their lives in following the same narrow path that their fathers trod and remain in the condition in which they were born. I say, then, that the proposition that a higher education than the rudimentary one of the common schools is not a benefit to the poor man, that the children of the poor should only learn to labor and not to think, is monstrous, even though it comes from the Executive Chamber."

Such was the champion which the cause of popular education found on the floor of the Senate in Hamilton Harris. We could cite many other instances where he strongly advocated our system of popular education, did space permit.

Thus he naturally became popular with the friends of education throughout the State. Early in the year 1885 two vacancies occurred in the Board of Regents of the University. When the Legislature convened that year his name was very soon brought forward as a candidate to fill one of the vacancies. The members of the Senate and Assembly, fully appreciating his accomplishments for this honorable position, and his services in the educational interests of the State, favored his appointment. On the 10th of March, 1885, the Republican members of the Senate and Assembly convened to nominate Regents, and Mr. Harris, with Mr. Beach, of Schuyler County, was unanimously elected.

This action, being ratified by the Legislature of our State in joint convention, was greeted with general approbation by the press and the voice of the public. Speaking of it, the *Evening Journal* said:

"The position of Regent of the University is the single honor within the power of the State to bestow upon its scholars, and the unanimous accord of the nomination for that position to the Hon. Hamilton Harris, of this city, and to Mr. Daniel Beach, of Schuyler County, was a fitting and especially appropriate tribute to the learning and ability of the two gentlemen chosen. To be chosen out of the many public-spirited scholars of the State would be a great compliment to confer upon any citizen. To be chosen unanimously and without the consideration of any other name is a recognition that has seldom been awarded by the State to learning. The designation of Senator Harris, of Albany, for the position is one the propriety of which our citizens will gratefully recognize. Although Mr. Harris' reputation through the State rests chiefly on his political and professional achievements, Albanians know him also as a man of research and attainments in the field of literature, and in those general studies which bring grace and symmetry to the mind. His interest in the educational affairs of the State and of the city has been often demonstrated,



and he will bring to the Board of Regents a practical knowledge of the requirements of our school system that cannot but be of advantage to the State."

Thus we have rapidly traced the early life of Mr. Harris, his entrance into his chosen profession, his successful career as a lawyer, writer and speaker, his career as a Legislator, and in other public places. His private life needs no mention here. He has been singularly fortunate in his domestic relations. In 1850 he married, in Buffalo, Lucy Moody Rogers, the eldest daughter of the late Nathaniel Rogers, of that city, and has two children—Frederick Harris, who is now associated with him in the practice of law, and Lucy Hamilton Harris. He, with his refined and highly cultured family, occupies and adorns a distinguished position in the brilliant social circles of the Capital City.

He may be called a positive man. It has been said of him truthfully that "he throws himself heart and soul into whatever business he does and whatever cause he espouses." His opinions both of persons and things are decided and confident. In forming them he is entirely free from the errors which spring from undue examination or want of just appreciation. In other words, he weighs men very much as they are, regardless of adventitious circumstances. Long a prominent resident of Albany, he has exhibited, as we have seen, the character of a liberal and public-spirited citizen; has identified himself with all prominent measures, tending not only to the advancement of the city, but of the State and country, and has fairly won for himself an honorable place in history.

#### WILLIAM L. LEARNED.

The judiciary is a department in our government of higher importance than all others. It was this department which gave force and vitality to the Constitution, which, till its formation, was almost inert in the exercise of its power. It is about the only department untainted from the corruptions of politics. While politicians expend their zeal on transient interests which derive their chief importance from their brief connection with a party, it is the province of the Judge to apply those solemn and universal laws of rectitude on which the security, industry and prosperity of the individual and the State essentially depend.

That we should naturally reverence and honor our judicial officers; that we should select them with care and sedulously weigh their qualifications for the office, their merits and demerits, in the balance, is natural, and when not found wanting, vouchsafe them the large honors which are their due.

In view of these reflections we enter upon the task of briefly tracing the life and career of the distinguished jurist and long-experienced Judge whose name stands at the head of our sketch—the Hon. William Law Learned. For many years he has been a delegated minister of justice and has received an uncommon evidence of the esteem in which he is held by the Bar and the public by his recent election for the second time to the office of

Justice of the Supreme Court of the State of New York.

The career of such a man is eminently worthy a place in history; it is pleasant and profitable to give that history to the public, and we perform our grateful task as follows:

Judge William L. Learned is a native of New London, Conn., born there July 24, 1821. His father was Ebenezer Learned, who was twice married, his second wife being Lydia Coit, the mother of Judge Learned, he being the only child of the second marriage.

Both his parents descended from early New England settlers. His paternal ancestor, William Learned, was a native of England, who came to this country and became a resident of Charlestown, Mass. John Coit, his maternal ancestor, was a native of Wales, who left that country about 1638, and became a resident of Salem, Mass., for we find his name in the records of that town in that year.

His grandfathers, Amasa Learned and Joshua Coit, were representatives in Congress; the first from 1801 to 1805, the latter from 1793 to 1798. They were both men of distinction and took conspicuous parts in the public affairs of the State.

Judge Learned seems to have inherited his love of the legal profession, for his father was a distinguished lawyer who for many years occupied a respectable position at the Bar, but who later in life became the cashier of one of the banks of the State of Connecticut.

Young Learned began his education at the Union School in New London, an institution of high repute, in which he prepared for college. Yale became his Alma Mater. He entered that time-honored institution in 1837, from whence he was graduated in 1841. His college course was characterized by diligence and conscientious devotion to his studies. As a result, he stood high with the students and was a favorite with the faculty. His rank as a student is indicated by the fact that he was salutatorian of his class, and his popularity by his membership of the society known as the Skull and Bones.

Among his classmates were several who have since become distinguished. Among them is Donald G. Mitchell, favorably known as "Ik Marvel," author of "Reveries of a Bachelor" and other pleasing productions.

Three Justices of the Supreme Court of the State of New York, Joseph F. Barnard, Lucien G. Birdseye and Gilbert Dean, were classmates of Judge Learned.

William E. Robinson, a prominent politician; B. G. Northrup, a well-known educator; Stephen D. Law, a very acceptable writer on the laws of patents, and Rev. Thomas F. Peters, eminent for his works of benevolence in the City of New York, were also members of this class.

Immediately after leaving college Mr. Learned entered the law office of Wm. F. Brainard, of New London, with whom he pursued his studies one year. Having formed a pleasant acquaintance with those highly respected lawyers, Messrs. Gould & Olin, of Troy, N. Y., he accepted an invitation

from them to continue his studies in their office. This was about the year 1842.

In recognition of his learning, ability and great purity of character, Mr. Gould, the senior partner, was elected Mayor of Troy in 1852, and in November, 1855, he was elected a Justice of the Supreme Court of the State for the Third Judicial District. Mr. Learned's associate in the office of Gould & Olin was George C. Waite, a brother of Chief-Justice Waite, of the United States Supreme Court.

Young Learned was called to the Bar at the fall term of the Supreme Court of the State in 1844, which held its sittings at Rochester. This was the old "Supreme Court of Judicature of the People of the State of New York," Chief-Justice Samuel Nelson presiding, Esek Cowan, Greene C. Bronson—names illustrious in legal history—associates.

Mr. Learned decided to make Albany the place of his future residence, fully aware that, in his professional career in that city, he would be compelled to contend with what may be well termed giants of the Bar. With a well-balanced confidence in his own abilities, with a consciousness that his intellectual weapons would be stronger, brighter and more effective by wielding them in the conflict against great and accomplished minds, he entered, confidently and determinedly, into the honorable rivalry he had sought.

This selection of a field of labor was judicious and fortunate. If he met the usual embarrassments and discouragements of young lawyers, he overcame them by severe application, steady perseverance, and the happy adaptation of his vigorous mind to his pursuit. Prosperity attended him, and he gradually but surely moved on to the front rank of his profession, and from thence to the distinguished judicial position he now occupies.

In 1850 he formed a copartnership with the late Gilbert L. Wilson, who afterward became secretary of the New York Central Railroad Company.

After this partnership had existed some time, James C. Cook became a member of the firm, which now took the name of Learned, Wilson & Cook. After the withdrawal of Wilson the firm was known as Learned & Cook. It took a very high and influential position, controlling an extended and important clientage; it continued until 1867, when Mr. Cook decided to retire from practice; this dissolved the firm, and its business devolved upon Mr. Learned.

The large responsibility which now rested upon him was met with talents, ability and learning, which added largely to his reputation as a lawyer. Perhaps no practicing lawyer at that time stood higher in public estimation than did Mr. Learned. He continued his practice until the summer of 1870, when that distinguished jurist, Rufus W. Peckham, who had been one of the Justices of the Supreme Court since 1861, was appointed a Justice of the Court of Appeals. This left a vacancy on the Bench of the Supreme Court, and Mr. Learned was immediately appointed by Gov. Hoffman in place of Judge Peckham.

In the autumn of 1870 Judge Learned was nominated by the Democratic party of the Third Judicial District as a Justice of the Supreme Court; his Republican opponent was the late Henry Smith, an acknowledged leader of the Bar and a man of commanding eloquence. Judge Learned was, however, elected for the full term of fourteen years.

He entered upon his judicial duties with that ability and success which his high reputation as a counselor at law fully indicated he would. As a trial judge he possessed that urbanity and patience in the conduct of those difficult cases so wearying and patience-trying to the judge in a manner that rendered him popular with the Bar, jurors and the general public.

In January, 1875, he was appointed Presiding Judge of the Third Department by Gov. Tilden. This appointment was made to continue during the remainder of his term. His associates were those eminent jurists, Hon. Douglass Boardman, of Ithaca, and Hon. Augustus Bockes, of Saratoga Spa. The ability and celerity with which the Supreme Court for the Third Department conducted its work elicited general commendation from the Bar. Though its calendars were very large, embracing many important cases, the business of the court was not permitted to accumulate, and its calendars were cleared to such an extent that cases were disposed of with great rapidity and satisfaction. It is said that the New York judges are overworked, from the Court of Appeals to the County Court. This, to a large extent, is true. Perhaps no men in the State are subjected to such constant and exhaustive labors as the judges of our courts. Certainly the justices of the Third Department may be said to be overworked in their endeavors to prevent that accumulation of business so disastrous to litigants.

The first opinion pronounced by Judge Learned was delivered in the case of *Gould vs. The Town of Oneonta*, at the January Term of 1875, very soon after assuming the duties of presiding justice. It is reported in 3 Hun, 404. This was followed by several cases in which he pronounced the opinion of the Court. He seemed to come to his judicial duties with that ease and directness which indicated a natural talent for their discharge. In 1874 he was appointed one of the Faculty of the Albany Law School. His associate members were Hon. Ira Harris, Hon. Matthew Hale and Isaac Edwards. The department of jurisprudence to which he confined his lectures at first was The Civil Law. These lectures required the expenditure of much labor and research—the most extensive legal learning. The success which attended them, their popularity with the students, is a sure indication that this demand was fully supplied. In the course of a few years two other departments were taken up as the theme of his lectures, one on Equity, the other on the Trial of Causes. These three courses he continues to deliver.

Among Mr. Learned's literary work was the duty performed by him as editor of an edition of *Madam Knight's Journal* and an edition of "*Earle's Microcosmography*."

A very valuable article from the pen of Judge Learned on "The Tardiness of Justice" appeared in the *North American Review* for June, 1885. It commends itself strongly to the judge, the lawyer and, above all, to the business man; for, really, the tardiness of justice is one of the great evils of the times, and Judge Learned deals with the subject as one who speaks with knowledge and with authority. He says:

"One cannot begin a lawsuit that involves a considerable amount, with any hope of a reasonably speedy decision; a year's time would be short for its termination; and the plaintiff may not reach the end in three, four, five or six years. A short time since a counsel, in arguing a matter, referred to a case that had been pending eighteen years, and was just at issue for trial. The case may be found reported as early as 1873, in one of its 'many steps,' and was in fact begun in 1869 (*Smith vs. Rathbun*, 66 Barb., 402; 13 Hun, 47). It has graduated some of its counsel to the bench, and has seen several of the judges who sat in it carried beyond the term of their judicial career. Another case pressed forward by the plaintiff and entitled to a preference on the calendar of the courts was begun in 1874, and, after four trials, reached its happy end in 1880. These are not unusual instances.

"In civil matters, the delay of Justice is a great wrong. *Bis dat qui cito dat* is a maxim as true in law as of charity. Men can bear what they believe to be a wrong decision, if it be made promptly; but they cannot bear the uncertainties of delay. 'Hope deferred maketh the heart sick.' It is the weary watching by the bedside, not the fatal termination, that tries the mind and body. And so with a pecuniary claim which one man makes against another. \* \* \* Perhaps there is no other cause of delay so great as the extensive right of appeal given by our present system. In many matters that belong merely to the preliminary skirmishing, as it might be called, appeals to the General Term can be taken, with the result of delaying the trial; such matters, for instance, as motions to change the place of trial. Yet these are often questions, to a great extent, of good discretion, in which the discretion of one judge might better be made conclusive, for the sake of preventing delay. This, however, is of less importance than the freedom of appeal after trial. It may be said generally that, after trial, the defeated party has three appeals, under any of which he may obtain a new trial. First, he may apply to the court before which the case was tried. If unsuccessful, he may appeal to the General Term. If unsuccessful there, he may appeal to the Court of Appeals. In the crowded condition of the calendars, this assures him a very comfortable postponement of the final result. When, however, he shall at last have his cause decided by the highest court, and shall have succeeded, and shall have obtained a new trial, he will not have reached the end. He must go back and try the case again. And, armed with the decision of the highest court in his favor, he will probably succeed in his defense, at the trial. That, however, is not the end. The plaintiff will now appeal; and when the defendant once more reaches the higher court, he may find that there is a *distinguendo*, and that that court didn't mean quite what he thought they meant.\* Once more, then, there must be a new trial. And once more he may climb the ladder of appeals, and get a new lesson in wisdom from its topmost round—at least a new lesson of patience."

The Judge points out, with much ability and discernment, the serious evils, the delay and expense, in the practice of referring causes for trial.

"References," he says, "are very expensive, and the expense falls on the defeated party. They are always protracted, because the convenience of two or more of the counsel and of the referee must be consulted, and because the referee cannot exercise that power of compelling promptness which can be exercised by the Court. Thus a trial,

which before a court or jury might be finished in a few days, will be before a referee for months, by reason of short sessions and long adjournment. It is to be hoped that since the recent increase in the number of judges, there will be a return to that practice when nothing was referred, except long accounts. \* \* \* It is certainly the duty of the State to provide a sufficient number of Judges; so that, if they do their duty faithfully, there should be no delay in reaching a cause soon after it is ready for trial."

On the 27th of May, 1855, Judge Learned was united by marriage to Phebe Rowland Marvin, daughter of Alexander Marvin, a distinguished merchant of Albany. This accomplished and highly esteemed lady died March 31, 1864, leaving three daughters. On January 15, 1868, Mr. Learned was married to Katherine S., a daughter of the late Clinton DeWitt, one of the most accomplished members of the New York City Bar, whose exalted career had been suddenly terminated while yet in early manhood. In 1878 Yale College conferred upon Judge Learned the degree of LL. D.

As we have said, Judge Learned was elected for the long term of fourteen years. As this term was to terminate with the expiration of 1884, he was nominated by the Democrats of the Third Judicial District as their candidate for the office of Justice of the Supreme Court for that district. He was elected, and in January, 1885, entered upon the discharge of his judicial duties with the experience of over fourteen years of arduous labors on the bench.

His appointment as presiding Justice of the Fourth Department removed him from the circuit, or *Nisi Prius*, the duties of which, as we have seen, he discharged with singular ability. It was his fortune while presiding as a Circuit Judge to try several exceedingly important criminal cases. So important were some of them that they attracted the attention of the press and the public throughout the nation. Space will not permit any description of these cases, but our work would not be complete without some reference to two of them, one *The People v. Lowenstein*, the other *The People v. Filkins*, for the robbing of an express car near Albany on the 6th of January, 1871.

The questions of fact involved in these cases were most remarkable, remotely connected, some of them obscure and apparently unimportant, yet when cleared of obscurity, clearly developed and fairly connected, formed a chain of evidence of such unerring certainty that they resulted in the conviction of both Lowenstein and Filkins. A brief reference to the cases of Filkins and Lowenstein belong appropriately to this biography:

On the 6th of June, 1871, Thomas A. Halpine, a messenger for the American Express Company, got into his car at Albany twenty-five minutes past five, P. M., in the rear of the express office. The car was drawn by an engine to the bridge, now known as the Upper Bridge; a train came over, to which the car was attached. Its doors were ajar a few inches; the safe was locked and the key in Halpine's pocket. A few moments after the car started a man sprang in, shut the door through which he entered, jumped over and shut the other door. After a few words passed between the men, the stranger presented a pistol and shot Halpine through the neck. He fell, and the shot was repeated. This shot entered under Halpine's right eye; the shot was

\**Marston vs. Sweet*, 66 N. Y., 206, and *S. C.* 82 N. Y., 526; *Urquhart vs. Ogdensburg*, 91 N. Y.

again repeated, taking effect near the right ear. The victim was insensible, and apparently dead. When the car reached the Green street station Halpine recovered sufficient consciousness to recall what had taken place. The car had stopped. By a strong effort he reached the door, faint and bleeding. He called for assistance, which resulted in his being taken from the car. An examination of the safe showed it had been unlocked and a large sum of money taken therefrom. The key had been taken from the pocket of Halpine, and with it the safe was unlocked. The circumstances created great excitement, and for a time the affair was wrapped in mystery. At length suspicion began to attach itself to John A. Filkins so far as the Express Company was concerned. On learning this he fled to Canada, but was followed and arrested, indicted and brought to trial.

What most embarrassed the prosecution was the fact that Filkins bore a good reputation, and on the trial he proved that at about the time the crime was committed he was at his home far up the hill on one of the streets of the city. It was difficult to believe he could have crossed the river and reached his home in so short a time. But his pistol was found near the spot where the crime was committed, by a boy, and Halpine positively identified him as the robber who had assailed him. There were many other facts in the case, on both sides, rendering it, as we have said, one of great difficulty and interest.

The prosecution of Filkins was conducted with great skill and vigor by that distinguished lawyer, Hon. Rufus W. Peckham, then District Attorney, and now a Justice of the Supreme Court. He was aided by William J. Hadley, whose opening address was most clear and forcible. Hon. N. C. Moak, so well known for his thorough research and unwearying ability, was counsel for the prisoner.

The charge of Judge Learned to the jury is remembered as one of great ability and fairness. With exact analysis he went through the conflicting evidence, disentangling the material from the immaterial, and presenting it clear and direct to the jury, who, after due deliberation, returned a verdict of guilty, and Filkins was sentenced to State Prison at Clinton for a term of twenty years. He had not been there long when he made his escape, and has never since been heard from.

It was never known by the public how much money was taken from the safe, but it was sufficient to induce the company to offer a reward of \$5,000 for the apprehension and conviction of the robbers.

The Lowenstein case, like the Filkins case, was one of great importance.

At this time Hon. N. C. Moak was District Attorney, and he conducted the case for the people with masterly ability, and Hon. D. Cady Herrick, who has since filled admirably the office of District Attorney, was counsel for Lowenstein.

On August 7, 1873, a man happened to take a short cut in crossing from the turnpike over the farm of one Jones. On reaching a fence that crossed his course, he discovered in a hollow, or basin in the ground, a man apparently asleep, but on attempting to awaken him he was startled to find that he was dead. His throat was cut and he had been shot in the head, and there were nine bullet holes in different parts of his body.

In his pocket was found a card of Theodore Grunewald, barber and hair-dresser, 35 Atlantic street, South Brooklyn.

On inquiring of Grunewald it was learned that he did not know the deceased; but it was learned that a former workman of his had left his shop early in the morning and taken his wages and other implements with him. On going

to his residence it was learned that his name was Lowenstein, and that he lived in the house of John D. Weston, who answered the description of the deceased.

Weston had recently drawn four hundred and fifty dollars from the bank, and, on the morning of August 5, got up between four and five, went away and was never afterward seen, except that he took the Harlem train at nine A. M., which reached Albany at five P. M.

Lowenstein was absent from home on August 5, but returned about nine A. M., the 6th, saying he had been to Philadelphia. Though a man of small means, he soon had plenty of money, purchasing a barber shop and paying for it the sum of three hundred and fifty dollars.

For some reason, on the 11th of August, he hurriedly fled and went to St. Catharines, Canada, but not till several circumstances were discovered pointing so strongly to his guilt that warrants for his arrest were issued, with which he was followed to St. Catharines, arrested, brought to Albany and committed to jail.

Near where Weston's body was found, on the lower board of the fence, a razor marked L. VII. When Lowenstein was arrested there was found in his possession a set of razors similarly marked and numbered from I. upward to VI.; it was proven that he had given away one similar to the others, and marked L. VIII.

The account he gave of himself on the trial was, that he had been to Philadelphia, and was there when the murder was committed; that he went to obtain a sum of four hundred and fifty dollars in money which he had previously hidden in a hole in the wall of Moyamensing prison. The point most embarrassing to the prosecution was, that Lowenstein was away only the 5th of August, returning at nine A. M. of the 6th, while Weston must have been killed the night of the 5th, a few miles west of Albany, not far from the Central Railroad track.

On the trial Lowenstein produced a very respectable woman, a resident of Philadelphia, who swore positively that she saw him in Philadelphia on the 5th, having conversed with him on the occasion. When Lowenstein fled to Canada, for some reason, he went by way of Philadelphia, and it was contended by the prosecution that the woman was mistaken in the time of meeting Lowenstein.

The trial began January 28, 1874, and was, perhaps, one of the most protracted of any criminal case ever tried in Albany. It was one of those difficult cases of fact and law extremely exhausting to the Court, but the well-balanced mind, judicial fairness and learning of Judge Learned enabled him to preside with great success. Like his charge to the jury in the Filkins case, his charge was a model of judicial ability. Lowenstein was convicted and executed.

"Of Judge Learned's eminent abilities as a jurist or judicial officer, of his superior qualities of mind and character, and, of course, of usefulness, it is unnecessary to speak here; to do so would be but the work of supererogation; suffice it to say, he has left the impress of his large abilities and extended learning upon the history of the State." The numerous opinions which he has delivered enrich the learning of our reports from the 3d of Hun down to the present time. Distinguished and useful as has been his public life, his life as a citizen is in every way in harmony with his public life, and therefore it is no affectation to say he occupies an exalted position among the people of the Capital City.

Whatever tends to the advancement of its public interests, to the promotion of religion, of education and the proper embellishment of the city, has always found in Judge Learned an ardent, able and successful advocate. He is now President of the Albany Female Academy and of the Albany Law School, and for many years has been one of the trustees of those two corporations and of the Albany Academy.



1846

## MATTHEW HALE.

The records of the courts of the State of New York bear ample evidence of the high abilities and successful career of the distinguished lawyer whose name stands at the head of this chapter, and whose life we are now to briefly trace. His is a life and career which it is a pleasure to record; though it may contain no striking events, no sensational vicissitudes, it still contains very much of interest to the scholar, the jurist and the lawyer. It is replete with those incidents in the life of all criminal lawyers which attract to it the interest of all intelligent classes.

Matthew Hale was born at Chelsea, Vt., June 20, 1829. His father was Harry Hale, Esq., a descendant of Thomas Hale, who came to Newbury, Mass., in 1638. This Hale was the son of an English yeoman from Hertfordshire, England.

Matthew Hale's mother was Lucinda Eddy, a descendant of Miles Standish and of John Alden, the son of Miles Standish having married the daughter of John Alden and Priscilla, his wife.

After a careful preparatory training, young Hale entered the University of Vermont at Burlington. At college he excelled, especially in languages, standing first in his class in this department, and was a favorite with his class and with the faculty. He was graduated in 1851. In 1854 he delivered the Master's Oration. In 1883 the College conferred upon him the degree of LL. D.

Having chosen the legal profession for his future occupation, he commenced the study of law in the office of Kellogg & Hale, at Elizabethtown, Essex County, N. Y. The senior member of this firm was the Hon. Orlando Kellogg, and the junior member the late Hon. Robert S. Hale, an older brother of Matthew, who served two terms in Congress with distinction, and was for many years prior to his death in 1881 a Regent of the University.

In 1853 Mr. Hale was admitted to the Bar at the General Term held at Salem, N. Y. He chose Poughkeepsie, N. Y., as his first field of professional labor, practicing there from 1853 to 1859. His first law partner was his brother, Henry Hale, now at St. Paul, Minn. After the dissolution of this firm by the removal of his brother to the West he formed a business relation with Gen. A. B. Smith, under the firm name of *Hale & Smith*. In 1859 Mr. Hale removed to New York City, and became the law partner of the late Lot C. Clark, under the firm name of *Clark & Hale*. This firm was successful, gaining remunerative practice and taking a respectable position in the city and in Richmond County, where it had the leading business. It continued until 1863, when Mr. Hale removed to Elizabethtown, N. Y. Here he became a member of the firm of *Hand & Hale*, consisting of the late Hon. A. C. Hand, his father-in-law, R. L. Hand, Esq., and himself. The senior member of the firm, A. C. Hand, had been one of the first Justices of the Supreme Court elected under the Constitution of 1846. This firm was distinguished for the varied ability which its members brought to its

large practice, and it obtained an extended reputation.

After the death of Mr. Cagger, which occurred in the summer of 1868, by which the firm of Cagger & Hand was dissolved, Mr. Hale decided to remove to Albany, and he has here resided since that time.

On his removal to Albany he became the law partner of Hon. Samuel Hand. He continued his relations with Judge Hand until 1881, though during this time there were several changes in the firm. It was for a time Hand, Hale & Swartz, and Hand, Hale, Swartz & Fairchild, afterward Hand, Hale & Bulkley. These firms succeeded to the business of Hill, Cagger & Porter and Cagger & Hand, and acquiring many new clients, had an extensive practice in the State and Federal Courts.

Since 1881 Mr. Hale has been in partnership with Mr. A. T. Bulkley, under the firm name of Hale & Bulkley. We have thus given the various business relations of Mr. Hale since he commenced his practice.

It has been Mr. Hale's fortune during his practice to conduct, as counsel, a large number of cases in the Federal and State Courts, which may well be termed "heavy causes," exceedingly interesting not only to the legal profession but to the public. The following important cases in which he was counsel will give the reader some knowledge of the magnitude of his business as an advocate and counselor:

He appeared for the Ramsey Board of Directors in the great legal contest with Fisk and Gould for the control of the Albany and Susquehanna R. R. Company in 1869 and 1870. This is one which may be called an historic case, summoning the ablest lawyers in the State to it. Mr. Hale's associates in the case were Judge W. F. Allen, A. J. Vanderpoel, Geo. F. Danforth and Henry Smith. Among the opposing counsel were David Dudley Field, William C. Barrett and Hon. A. J. Parker.

Although not seeking employment in criminal cases, Mr. Hale has been engaged in many important criminal trials. He was associated with Hon. Wm. A. Beach for the prosecution in the trial in Saratoga County of Wm. Witbeck for the murder of Millard Griggs, a deputy sheriff, in the execution of a writ of possession in one of the anti-rent cases; and has successfully defended many cases for murder and other offenses in the State and United States Courts, the last being the defense of Levi McCauley, who was acquitted of the murder of his wife, at the Essex Oyer and Terminer, in June, 1884.

Few cases created more public interest than the proceedings brought by the English stock owners of the Erie Railway Company in 1872 to obtain the control of that corporation. In this contest Mr. Hale appeared for the English stockholders. He was also engaged in the Mayoralty suit between Messrs. Judson and Thacher, in 1872; for the People in the Canal suits instituted by Gov. Tilden; in the trial before the Senate of John F. Smith; in a large number of cases brought against the N. Y. C. and H. R. R. R. companies, tried at

the Albany Circuit. He was counsel for the Albany National Exchange Bank in what were known as *The Bank Tax Cases*, in one of which he obtained a decision in the Supreme Court, holding that the State law taxing shareholders in National Banks was, to some extent, unconstitutional. He was counsel associated with Gen. Wayne Swayne, of New York, for the Western Union and other telegraph companies in the suits brought by the Attorney-General to recover taxes of these corporations under the laws of 1881.

In the investigation of the charges against John F. Smyth, before the Senate, in 1877, Mr. Hale appeared as one of the counsel for the people. This case began March 7, and continued several weeks. Its proceedings occupy about 550 pages. Mr. Smyth was Superintendent of the Insurance Department, and was tried before the Senate for deliberately and wantonly violating the law known as chapter 593 of the laws of 1873. Mr. Hale appeared, as we have said, for the people; his closing argument, or summing up, was an effort of extraordinary ability and learning. It was listened to with profound interest, and gained for its author the approbation of the public. Smyth was acquitted of the charge against him by the Senate by a vote of nineteen to twelve.

The argument of Mr. Hale in the case of the *Supervisors of the County of Albany*, plaintiffs in error, vs. *Edward N. Stanley*, in the United States Supreme Court, largely increased his reputation as a lawyer before the Court in Banc.

It is impossible to read Mr. Hale's argument in this case without being impressed with the precision and clearness with which he presented the real points in issue, or, to use the language of Mr. Justice Miller to Mr. Hale during the argument, "the manner in which he came to the very marrow of the case." He conducted the argument with the calm confidence of one who felt that he could rely upon himself in any emergency. When replying to the authorities brought by his antagonists, he exhibited great skill and the nicest discrimination, destroying in a few words their position.

In 1884 Mr. Hale was appointed one of the Commissioners of Appraisal of the lands proposed to be taken for a Park, or State Reservation, at Niagara Falls, and wrote the opinion of the Commissioners in the case.

Like most lawyers, Mr. Hale has participated to some extent in the politics of his times. He early gave his political allegiance to the Republican party, but always maintained that independence of thought and action through which he exerted his honest convictions in regard to men and party measures, never permitting his conscience to be governed by party supremacy. He supported all the Republican candidates for President, excepting Mr. Blaine.

On October 8, 1884, Mr. Hale addressed a letter to Grange Sard, Esq., which was read at a mass meeting in Albany, on that day, giving in an able, thoughtful and scholarly manner his reason for supporting Mr. Cleveland instead of Blaine. "For myself," he said among other things, "after long

deliberation, and with great reluctance, I have come to the conclusion that Mr. Blaine is unworthy of support. With great reluctance, because, having given my first vote at the Presidential election for Gen. Fremont in 1856, and having voted for every Republican candidate for that great office since, I would much prefer to continue to support the party of my first choice; because I thoroughly appreciate the traits which make Mr. Blaine so attractive and agreeable to those who know him socially; because, from education, from association, from conviction, and, perhaps, somewhat from prejudice, I am not an admirer of the Democratic party." He then gives the reasons for refusing to support Mr. Blaine.

It is not our province to analyze those reasons; but it is proper for us to say that they bear the impress of thoughtful candor, of careful consideration, and a thorough knowledge of all the bearings and details of his subject. His letter was published in many of the Democratic and Independent journals throughout the nation, and was a valuable campaign document for Mr. Cleveland.

In 1880, when it became apparent that Gen. Grant was to be urged by a portion of the Republican party for a third-term nomination for President, Mr. Hale was one of the first to declare against the nomination. On January 3, 1880, a very large meeting of the Republican citizens of Albany convened at Martin Hall, in that city, and, after a full exchange of views in relation to the President for the next term, it was unanimously resolved that the nomination of any man for the third term for the Presidency was contrary to the spirit of our Federal Union, and a resolution was adopted to form a club opposed to any man for a third term. At a public meeting held in the same hall on January 7, 1880, the committee on officers, appointed at a previous meeting, reported the name of Hon. Matthew Hale as president of the club. On receiving notice of this appointment, Mr. Hale signified his acceptance in a letter in which his views of the third-term question were forcibly and eloquently set forth. On Monday evening, April 26, Mr. Hale delivered a lecture on the *Conditions and Limits of Party Fidelity*, in Steinway Hall, in the City of New York. The significant title of this lecture, and the ability of the lecturer, drew an immense audience. It began with a brief history of parties in America, tracing it down to the origin of the Republican party and to the close of the war. He then considered the party platform since the war, taking up the electoral system and its design, as explained by Hamilton, and why this design was not fulfilled. He then reviewed the plan of Benton and Sumner; the abandonment of the caucus system, and its causes. In connection with this, he directed the attention of his audience to the Presidential election of 1824, in which Wm. H. Crawford was nominated for President by the Democratic caucus. He showed that prior to this time Congressional caucuses had selected the candidate already designated by popular expectation; but in 1824 the caucus candidate turned out to be the third on the list. Andrew Jackson and

John Q. Adams each received more electoral votes than Crawford, none of the candidates having a majority, and the election was thrown into the House of Representatives, and, by a combination between the friends of John Quincy Adams and Henry Clay, the former was elected President; the first and only case, up to this time, in which a President had been nominated by the House of Representatives. Mr. Hale then gave the origin of the National Convention system, and how machines control these conventions, and considered how resistance to these machines became a duty, to suppress party despotism. We have only time to glance at this important party document, so potential in arousing that independent spirit in politics, which it is believed will eventually result in the overthrow of that despotic party leadership, the bane of our political institutions.

Though Mr. Hale has never, in any sense, sought office, yet he has consented in two instances to accept the nomination for honorable official positions. He was elected a delegate to the Constitutional Convention which assembled at Albany June 4, 1867, and adjourned *sine die* February 28, 1868; but an adjournment from September 24 to November 12, 1867, had been agreed to by the convention.

Mr. Hale represented the Sixteenth Senatorial District. His high rank as a lawyer, and his scholarly attainments and practical oratorical powers, gave him a high position in that convention. He was on the Judiciary Committee, of which Hon. Chas. J. Folger was chairman. The other members were: Wm. M. Evarts, Chas. Andrews—now of the Court of Appeals, Amasa J. Parker, Francis Kernan, George F. Comstock, and other distinguished lawyers. It is a significant fact that Mr. Hale was put in nomination as a delegate to the convention by both political parties. In November, 1867, he was elected to the State Senate, serving in 1868-9. Here again, in the Senate, Mr. Hale's abilities were liberally recognized. Though he did not often claim the attention of the Senate as a speaker, when he did, he was listened to with profound attention, and his speeches were always considered weighty and cogent. He was a member of the Judiciary Committee. The severe and constant labors of Mr. Hale, as a member of this committee, have left their impress upon the record of its proceedings.

After his removal to Albany, Mr. Hale, in 1871, received the nomination of the Republicans for the Assembly, but declined to accept it. In 1883 he received the Republican nomination for Justice of the Supreme Court in the Third Judicial District, but was defeated by Hon. Rufus W. Peckham, though he was far ahead of his ticket in this strong Democratic district.

Mr. Hale's ability as a writer is generally acknowledged; he always throws a strong light upon his subject, and never loses sight of the substance of it in the style. Though he seldom indulges in flights of fancy, or excursions of the imagination, he unites the two extremes of refinement and strength. We have already alluded to some of his

written productions. A paper, submitted by him to the State Bar Association, at its annual meeting, November 16, 1880, on *Illegal and Erroneous Taxation and Its Remedies*, was read with marked interest throughout the State. In considering this important subject, he has examined with the most critical care all the cases adjudicated in our courts—and there are very many touching the question of taxation and of assessments. It is, therefore, full of instruction, not only to the lawyer and layman, but of great value to town officers, especially assessors, supervisors and collectors. Perhaps no matter has been brought before the Bar Association more interesting or more profitable than this paper.

In April, 1880, there appeared in the *National Quarterly Review* a very elaborately written article on the third-term question from the pen of Mr. Hale. We have alluded to some of his other efforts on this question, but the article now under consideration was a far more exhaustive review of the whole case than any of the productions of other writers on this subject. Aside from the beauty of its diction, the perspicuity and erudition of his reasoning gave the article great popularity, and added largely to the numbers of those who opposed the third Presidential term. There is that about it which gives it perpetuity, and it will long exist a powerful and unanswerable argument against a third election of candidates to the Presidential chair.

*Harper's Weekly* for April 4, 1885, contains a very able article from the pen of Mr. Hale, entitled "The Lessons of the Elections of 1884," which has been read with marked interest.

Speaking of the allegiance of the people to party rule and discipline, he says: "There are a few obvious lessons taught by the election of 1884—obvious, but still liable to be overlooked. The first, and perhaps the most important, is, that party discipline can no longer be relied on to carry a Presidential election. Men have ceased to regard the support of party nominations as a sacred duty. They refuse blindly to obey the dictates of party conventions. They will even vote for the candidate of the party to which they have always been opposed, if they believe the good of the country will be thus promoted."

Mr. Hale proves that the election of Mr. Cleveland in 1884 was effected by men who were really opposed to the Democratic party, believing they could best serve their country by voting against their party.

He has always occupied a high rank as a citizen of Albany. Few are more respected; few carry into society more of those attributes which render it attractive than he. He has been for many years a trustee of the Albany Savings Bank, one of the oldest, largest and most conservative of these institutions in the State. He has been, from its foundation, one of the trustees of the Fort Orange Club, and has been connected with various other social and charitable organizations in Albany. As a conversationalist he is always interesting, and knows how to blend instruction with delight.

In 1856 he was married to Miss Ellen, daughter of Hon. A. C. Hand; but after eleven years of married happiness he suffered a deep affliction in her death. In 1877 he married Mary, daughter of Col. Francis L. Lee, of Boston, Mass. His home is one of refinement and taste—a happy retreat from the cares and turmoil of his profession and from his public duties.

#### NATHANIEL C. MOAK.

Mr. Moak occupies so high a position at the Albany bar, and we may say at the bar of the State, that their history without his character and career would be wanting in much that would be interesting and instructive.

The life and career of one who, like him, has the erudition of a scholar, is accomplished in the learning of his profession, experienced and skillful in the contests of the forum, and has seen life and human nature only as such lawyers can see it, must of necessity reveal much that is akin to the romance of real life reflected from every phase of human character.

This renders the work of sketching his life, in which we are engaged, we trust, one of interest and of instruction, valuable to all the citizens of Albany and Schenectady Counties and the general public.

Nathaniel Cleveland Moak was born at Sharon, N. Y., October 3, 1833. His father, Jacob M. Moak, was a descendant of the Albany County Moaks, and his mother, Amy Cleveland, was a daughter of Henry Cleveland, a descendant of the Clevelands, of Woburn, Mass. Jacob Moak, the father of Nathaniel, was a farmer, who at an early period of his life removed to Sharon, and followed his occupation. Like all farmers at that comparatively early period, his means were too limited to give his son any large advantages for an education, though the mind of young Moak very early exhibited those traits which, under proper instruction, develop into the accomplishments of the scholar. Happily he possessed the qualities of industry and unwearied perseverance in whatever he undertook. These directed to overcoming the obstacles in his way to an education resulted in success. He began his education attending the common schools; when old enough to labor on the farm he could only attend school during the winter months; but every leisure moment opened to him the treasures of knowledge, for books were his constant companions.

In 1849, at the age of sixteen, he attended two or three terms at the Cherry Valley Academy, gaining money for his expenses by working on a farm. From 1850 to 1851 he attended the academy at Cooperstown, N. Y., the principal of which was John Leach. Never was there a more ardent or successful student. Very rapidly he trod the paths of literature and science. While a student at Cooperstown Academy he made much proficiency in the study of anatomy and physiology in the office of Dr. Fox. The knowledge he attained in these branches has been of immense advantage to

him in the practice of his profession; it laid the foundation for his remarkable practical knowledge of medical jurisprudence.

Young Moak's favorite studies were mathematics, the sciences and the English classics; of these through life he has been a close and critical student. He particularly admired the healthy honesty and manliness developed in their style, sentiment and philosophy.

In the winters of 1851-2 and 1852-3 he taught a district school. The benefit he derived from this occupation was of great value to him. It gave his mind a peculiar discipline; it taught him the art of self-government, and the government of others; the school-room to him was a fountain of learning. In teaching others he taught himself, and thus, like many statesmen, jurists, divines and gifted men in all the avocations of life, he learned from his experience as a teacher that which was of inestimable value to him in after life. It was his early ambition to become a lawyer, and to this he subordinated all his energy, his industry and his study. In the autumn of 1853 he became a student in the law office of James E. Dewey, of Cherry Valley. He commenced his studies with energy, and a keen appreciation and love of the science of jurisprudence. He soon obtained sufficient knowledge of the law to begin practice in justices' courts.

It was not long before he became a champion in these courts, and his services as a counselor in them were sought for far and near. He frequently met lawyers of ability and standing, although these courts were then, as they are now, a practicing school for young lawyers, legal skirmish grounds for older ones. Here young Moak met every variety of mind and ability; here he learned to grapple with the sharp and obtuse questions of law which often occur in these Courts; here he practiced the rules of evidence, and learned to examine and cross-examine witnesses. Thus he acquired that confidence in himself so necessary in a young lawyer.

He continued his studies and his practice in justices' courts till January, 1856, when he was called to the Bar. He remained in the office of Mr. Dewey until November 1, 1859, when he became the law partner of Judge Edwin Countryman, then an eminent member of the Otsego Bar, residing at Cherry Valley, and now a leading member of the Albany Bar, in partnership with Hon. Amasa J. Parker.

Mr. Moak continued in partnership with Judge Countryman until January, 1862, when the latter removed to Cooperstown. Mr. Moak then formed a partnership with Edwin Clark, with whom he continued till September, 1865. The Rebellion was, during that period, at its height. Mr. Moak entered heart and soul into the cause of the Union, while Mr. Clark was equally patriotic. As it was hardly possible for both partners to enter the Union army, they entered into an agreement that one of them should do so; that the other should remain at home and pay to the family of the absent partner his share of the firm's earnings; that the partnership should not be dissolved. Both members were



*John*



equally willing to go, but which should be the one? This important question they decided to settle by casting lots, and the duty of becoming a soldier fell upon Mr. Clark. They immediately proceeded to raise Company G, of the 121st N. Y. Vs. Mr. Clark was made captain, and moved to the front.

Mr. Moak remained and conscientiously carried out the agreement with Captain Clark.

In the autumn of 1865 Mr. Moak removed to Oneonta, N. Y., opened an office, and began there the practice of his profession under very favorable circumstances. In the fall of 1867 he was invited to and became a member of the firm of Smith & Bancroft, composed of the late Henry Smith and the late Le Grand Bancroft. The new firm was known as Smith, Bancroft & Moak.

In January, 1880, Mr. Bancroft died. Mr. Chas. J. Buchanan had, a short time previous to the death of Mr. Bancroft, become a member of the firm, and it was now known as Smith, Moak & Buchanan. This became one of the most conspicuous law firms in the eastern part of the State. Mr. Smith died December 1, 1884.

Albany opened an appropriate field for the exercise of Mr. Moak's talents, and he naturally took a high position at its Bar. Retainers of great importance and interest rapidly came to him. The trial of many of the important cases of the firm fell to him, and were conducted with great ability, learning and success, whether conducted at the Circuit or in the Court in Banc. He was retained by Mr. Ramsey in his famous "Susquehanna war" with Gould and Fisk. This was an historic litigation, and the scene of the contest was shifted to Rochester, on which battle ground it measurably terminated.

In November, 1871, Mr. Moak was elected District Attorney of Albany County, and entered upon his duties January 1, 1872. The manner in which he administered the duties of this highly responsible office largely increased his reputation. Brilliant, learned and successful as were his predecessors, he lost nothing when compared with them.

It was during his administration that the trial of the celebrated case of *The People vs. Lowenstein* took place, and of course Mr. Moak conducted the prosecution.

The crime was most appalling. The circumstances connecting Lowenstein with it were at first remote and doubtful, but, by a singular and admirable process of synthesis, Mr. Moak so combined them that the product was an inevitable conclusion of the prisoner's guilt.

His argument to the jury was confessedly a very able and successful effort. He made no attempt at high-wrought eloquence; he invested his argument with no far-fetched decorations of elocution; its strength was its profundity, comprehensiveness and ingenuity. It was enriched in language pleasing and significant, and it completely overthrew the hypothesis of the defense, founded on the singular circumstances of the case. It is one which the practitioner and the student read with pleasure and profit. It is richly interlarded with quotations from legal authorities, both European and American,

and exhibits immense reading and close analytic research. Lowenstein was convicted and executed.

Among other important cases which he conducted was that of *The People vs. Clune and others* (the Modocs), and *The People vs. Phelps*, for plundering the State treasury.

His term expiring, he was appointed by Gov. Dix as special counsel in the Phelps cases. All the convictions were affirmed in the Court of Appeals.

As an instance of his persistence and untiring industry may be mentioned the case of Frank R. Sherwin, the broker through whom Phelps disposed of the State drafts. Sherwin, having been subpoenaed as a witness on the Phelps trials, a few days before their commencement, went to Europe and failed to appear. Mr. Moak had him indicted in 1874 for criminal contempt; watched for him until he came to New York City in 1882; caused his arrest, voluntarily, and without compensation; followed his case, on *habeas corpus*, to the Court of Appeals; afterward tried and convicted him on three indictments, for which he was sentenced to the Albany Penitentiary for two years and to pay a fine of five hundred dollars, and followed the convictions, on appeal of Sherwin, to the Court of Appeals.

After retiring from the office of District Attorney he confined himself mostly to civil cases, though occasionally he accepted retainers in important criminal cases.

In 1878 he conducted the prosecution of one of the most important and singular cases in legal history—the case of *The People vs. Jesse Billings, Jr.*, indicted for shooting his wife. This crime was committed at Northumberland, Saratoga County, on the 5th of June, 1878, at about eight o'clock in the evening. The trial commenced at Balston Spa early in September, 1878, and concluded on the evening of October 13.

Mr. Moak began his address to the jury October 7, and closed it on the 11th. Here Mr. Moak again exhibited his rare accomplishments as an advocate. His argument is before us as we write, and we write after a close and thorough examination of it. On our table are the arguments of several great advocates in great criminal cases, with which we have carefully compared that of Mr. Moak, and we do not hesitate to say that it compares favorably with that of the almost unequaled argument of Ogden Hoffman in the case of *The People vs. Robinson*. His argument occupied four days, in which a vast number of circumstances and a large amount of precedent were examined, and yet from its commencement to its close compelled the closest attention of the Court, jurors, and a vast audience. The trial lasted six weeks. The jury did not agree, and on the second trial Billings was acquitted on grounds difficult to be understood, for Mr. Moak's conduct of the case left little doubt in the public mind of Billings' guilt.

Mr. Moak has done a large amount of intellectual labor outside of his profession. "In 1869," says a writer, "he edited *Clarke's Chancery Reports*, contributing elaborate notes. Speaking of this edition of these reports, the Messrs. Abbott

say, in the preface to their digest: 'Much additional value has been given to the collection in a new edition by N. C. Moak, of Albany, who has enriched nearly all the cases with instructive notes, which bring together concisely the result of much research and experience.'

"Mr. Wait, in the preface to his digest, says: 'A new edition, edited by Nathaniel C. Moak, Esq., appeared in 1869. Mr. Moak's notes are very clear, accurate and valuable, and give evidence of great learning and experience.'

"In 1873 Mr. Moak edited *Van Santvoord's Pleadings*, bringing the work down to that time, doubling its matter and adding largely to its value. It has remained the standard upon pleading in New York and several other States which have adopted its Code.

"In 1872 he began the republication of the current English cases, under the title of *English Reports*, with elaborate notes. Thirty-five volumes have been published, circulating in all States of the Union, and giving him a national reputation as an excellent and learned lawyer. In 1881 he published an edition of *Underhill on Torts*, greatly enlarged. Mr. Moak seems to 'revel in work,' having also, in addition, gratuitously prepared a set of legal forms for use by the profession, and a catalogue of law books—almost a legal bibliography—for gratuitous circulation.

"Mr. Moak never forgets his own early struggles, and no lawyer in the State is more ready and willing to freely aid young lawyers in the conduct of their cases."

Listening to the legal arguments of Mr. Moak, one is impressed with the opulence of his mind and the evidence of his research. To use his own language, in a celebrated case, "a lawyer one day may be engaged in a case involving the laws of steam or electricity; the next in a case of malpractice, involving the anatomy of the human system; the next in a case in which knowledge of toxicology is required; or one involving the consideration of some literary or scientific production." Certainly these have many times entered into cases conducted by him, in each of which he exhibits a familiar and practical knowledge. Of course, such a man requires a large amount of varied intellectual aliment; this he derives from one of the largest and best selected private libraries in the State, both legal and miscellaneous.

His law library contains all the American, English, Irish, Canadian and other reports, and is one of the most valuable in the Union. His miscellaneous library numbers some 5,000 volumes, carefully selected, of great value and practical utility.

Few men possess a more chaste and appreciative literary taste than Mr. Moak; this he exhibits in his written productions, in his speeches, and in his conversation.

A strong friendship existed between Mr. Moak and Gov. Dix. Perhaps no man had a more thorough appreciation of Gen. Dix's literary accomplishments than Mr. Moak. Among the works of the former was his translation of *Dies Ira* and that of *Stabat Mater*. Though they were privately

printed, they found their way into Judge Nott's "Seven Hymns of the Mediæval Church" and other kindred publications. A part of *Dies*, the first translation thereof, appeared in Bayard Taylor's "Faust," whereupon Mr. Moak, in a happily worded letter, congratulated the Governor upon his name being so favorably mentioned, in such a great work, and by such an accomplished scholar. In reply, Gen. Dix wrote Mr. Moak an elegant letter, descriptive of the circumstances attending the translation to which we have referred. This letter, full of instruction and interest, is found on pages 233-34, vol. 2, of the "Life of Gen. Dix," by his son, Rev. Dr. Morgan Dix.

"The first translation," says the letter, "was made during our Civil War, while I was in command of the department of Virginia, and when I had many weighty matters to divert my time and thoughts from literary occupation. Although it had been much commended, I was never satisfied with it, and a few months ago I printed it privately, and now I send you a revised rendering of that immortal hymn. The translation of *Stabat Mater* was made while I was Minister to France. It was more leisurely prepared, and I see no reason to correct it, though I cannot say that it is what I should wish it to be. The stanza of the former quoted by Bayard Taylor is as follows:

"'Day of vengeance without morrow,  
Earth shall end in flame and sorrow,  
As from saint and sinner we borrow.'"

"It is this stanza (the first) which has always proved most troublesome to translators, and it is the one with which I was dissatisfied more than with any other in my translation, when I allowed it to go to the press. My dissatisfaction was greatly increased a few years later on finding, in one of Thackeray's novels—I do not, at this moment, recollect which—a passage somewhat like this: 'When a man is cudgeling his brains to find any other rhymes for "sorrow" than "borrow" and "morrow," he is nearer the end of his woes than he imagines.' I felt instinctively that any one familiar with this passage would, on reading my translation, be conscious, at the very commencement, of a sense of the ludicrous altogether incompatible with the solemnity of the subject. \* \* \*

"With a pleasant remembrance of our association in Albany, I am, dear sir,

"Very truly yours,

"N. C. MOAK, Esq.

JOHN A. DIX."

In politics Mr. Moak is a Democrat, but he is in no sense aggressive in his advocacy of his principles, and, though prominent in his party, has never sought office, or been an active politician, except in 1879, when chairman of the State Committee of the Anti-Tilden wing of the party, and in 1880, as a delegate of that wing to the Cincinnati Convention. In 1884 he was a warm supporter of Gov. Cleveland for President, taking the stump and making speeches in all parts of the State. He was one of the most interesting, cogent and effective speakers of that hard-fought campaign, doing yeoman service in the cause which he so ardently espoused.





## SAMUEL HAND.

SAMUEL HAND was born, May 1, 1834, in the County of Essex, in the State of New York. He is a son of the Hon. Augustus C. Hand, an ex-justice of the Supreme Court for the Fourth Judicial District of the State, who was elected, June 7, 1847, at the first judicial election under the Constitution of 1846.

Among the distinguished jurists called to the Supreme Court with Judge Hand at that election in that district, was Hon. Daniel Cady, Hon. Alonzo C. Paige, Hon. John Willard. Judge Hand also represented the Fourth Senatorial District of the State in the sixty-eighth, sixty-ninth and seventieth senatorial sessions.

Samuel, at an unusually early age, exhibited a remarkable progress in study, so that at the age of fourteen he was fully prepared for college. He accordingly entered Middlebury College, in Vermont, but at the end of his sophomore year, in 1851, he was transferred to Union College, from whence he graduated under circumstances gratifying to his friends.

He immediately entered his father's office and commenced the study of law. Here he enjoyed rare advantages for attaining his legal education; advantages of which he fully availed himself, and he went to his examination for admission to the bar thoroughly prepared to enter upon the brilliant career which lay before him.

In May, 1854, his examination and call to the bar took place.

After practicing at Elizabethtown, New York, about three years, he removed to Albany, where he formed a very advantageous partnership with the late John V. L. Pruyn: this was in October, 1859. He continued a partner of Mr. Pruyn until 1861, when he became a member of that distinguished law firm, *Caggar & Porter*, which, after his connection with it, was known as *Caggar, Porter & Hand*.

Few legal firms have ever existed in the State that controlled so large and extended business as this. Its career is brilliantly recorded in the exceedingly large number of cases found in the Law Reports of the State and in those of the Federal Courts.

In January, 1865, Mr. Porter was appointed a Judge of the Court of Appeals, and the firm was known as *Caggar & Hand*, down to July 6, 1868, when the sudden and melancholy death of Mr. Caggar dissolved it. In another part of this work we have given a brief biography of Mr. Caggar, and an account of his tragic death, which threw a gloom not only over the city of Albany, but over the whole State. After the death of Mr. Caggar, Mr. Hand associated himself in business with Hon. Mathew Hale and Nathan Swartz. The latter, who had been a member of the firm of *Caggar & Hand*, continued in the new firm, under the name of *Hand, Hale & Swartz*. This firm did an immense business, as the records of the State Courts show. In 1873 Charles S. Fairchild, subsequently Attorney-General of the State, be-

came a member of the firm, which was known as *Hand, Hale, Swartz & Fairchild*, under which title it continued until the autumn of 1875, when Mr. Fairchild was elected Attorney-General. In 1877 Mr. Swartz removed to Colorado, and the firm was continued under the name of *Hand & Hale* until 1880, since which time Judge Hand has been practicing alone, doing an extensive business as a counselor. We should have said that the partnership of Hand & Hale was interrupted in 1878 by the appointment of Mr. Hand as a Judge of the Court of Appeals in the place of Hon. Wm. F. Allen, who died June 3, 1878.

Judge Hand carried to the Bench the same unwearied industry that distinguished him at the Bar. His opinions exhibit the extent of his labor; they are written in a concise, clear and dignified style, strong and logical, comparing in every sense favorably with those of his learned brethren on the Bench.

He was appointed June 10, 1878, and immediately took his seat on the Bench. On June 17, seven days after taking his seat, the case of *Mowry vs. Rosendale* was argued. Judge Hand wrote the opinion of the Court; it was his first opinion. The case was decided September 17, 1878 (74 N. Y., 360).

On June 19, 1878, the case of *Lewis vs. Seabury* was argued; Judge Hand delivered the opinion of the Court and the case was decided September 24, 1878 (74 N. Y., 409).

The following are among the cases in which Judge Hand wrote the opinion of the Court: *The People of the State of New York vs. The Mutual Gas Light Company of Brooklyn* (74 N. Y., 434), *Read vs. The City of Buffalo* (74 N. Y., 463), *Hayes vs. Hawthorn* (74 N. Y., 487), *Bowery National Bank vs. Duryee* (74 N. Y., 491), *Dickinson vs. City of Poughkeepsie* (75 N. Y., 65), *Cannfield vs. The Baltimore & Ohio R. R. Co.* (75 N. Y., 144), *Bardine vs. Stevenson* (75 N. Y., 164), *Clafflin vs. Meyer* (75 N. Y., 260), *Slater vs. Merrill* (75 N. Y., 268), *Miles vs. Loomis* (75 N. Y., 288), *Barr vs. Bininger* (75 N. Y., 344), *Godfrey v. Godfrey* (75 N. Y., 434). The last case decided by him was *McMichael vs. Kilmer* (76 N. Y., 36). This case was argued December 13, 1878, a short time before the Judge left the Bench. The case of *Louvy vs. The Brooklyn City R. R.* was argued December 11, 1878, Judge Hand writing the opinion in both of the above cases while in office, and they were adopted by the Court. He left the Bench of the Court of Appeals December 31, 1878, and very soon he appeared at its Bar and argued the important case of *Wellsborough vs. The New York & Canada R. R. Co.* (reported in 76 N. Y., 182). From that time to the present his practice has been largely confined to the Court of Last Resort.

When Judge Hand left the Bench he was succeeded by Hon. Geo. F. Danforth. He returned to the practice of his profession with a large business in the Court of Appeals. His business has so rapidly increased that since 1870 he commands a practice not excelled by any

lawyer in the State. In the argument of cases his exposition of the precedents upon which he relies, or which are cited by his opponents, are always full, and if occasion requires, very minute; he develops with care and precision the principles on which they turn, distinguishes them from analogous or conflicting decisions, and as his purpose requires, either presents their reasonings and conclusions in a clear and familiar light, or forcibly assails them with the weapons of learning and logic. He maintains throughout the argument a correct and attractive diction, and always retains the attention of the judges, enabling them to see the real character of the case.

The following are some of the important cases in which Judge Hand has taken a distinguished part:

*Susquehanna Litigation* of 1869, '70 and '71; *Von Woert vs. The City of Albany*. There were thirty of these cases, all of them vitally affecting the interests of the city. The *quo warranto* case, between Thacher and Judson, rival claimants for the office of Mayor of Albany, tried in 1873. The *impeachment* in 1879 of *John F. Smyth*, Superintendent of Insurance. Judge Hand conducted the prosecution of this case for the People on the retainer of Gov. Robinson.

*The People vs. Belden*, action brought in 1876 by the State to recover about \$400,000. This case is remembered as one of the most important ever litigated in this State. It was conducted by Judge Hand from its commencement until after its trial and report of the Referees. These gentlemen were Judge Emmott, Judge Tappan and Isaac Lawson; they made a report in favor of the State to the amount of nearly \$400,000.

Judge Hand was counsel for the Canal Investigating Commission of Gov. Tilden in 1875-6. In 1877 he was engaged in the *Elevated Railroad* litigation, as counsel for the Metropolitan Railroad. In this case the constitutionality of the Rapid Transit act was passed upon. In 1884 he was engaged as counsel in the \$1,000,000 *Water Meter* suit, better known under the title of *Baird vs. The Mayor of New York*. This list of cases might be greatly enlarged, but, as we have said, it is sufficient to give the reader an insight into the extensive practice of Judge Hand.

Judge Hand has been honored with several important official positions, of which we shall give some account. In the beginning of his professional life, he became attached to the Democratic party, to which he has ever since given a firm and considerate allegiance. His high professional standing and learning, his large acquaintance with leading men of the State and Nation, has ranked him among the leaders of the Democratic party. Had not a love of his profession and professional ambition been paramount to political ambition, there is no doubt but he would have long ago occupied a very exalted official position, for such has been tendered him, and been respectfully declined.

In 1863 he was appointed Corporation Counsel of Albany, and was re-elected, and continued in office until the spring of 1866, when the control

of the city government passed into the hands of the Republicans. During his administration of this office the city paid no counsel fee, except in one instance.

He was appointed reporter of the Court of Appeals, January, 1869, serving till March, 1872. The six volumes of his reports are from 40 to 45 N. Y., inclusive.

In 1872, on account of his large and increasing counsel business, he was compelled to resign his position as reporter. In 1875 he was appointed Judge of the Supreme Court for the Third Judicial District, by Gov. Tilden, but declined. After the nomination and declension of Horatio Seymour, as the candidate for Governor in 1876, by the Democratic State Convention, it was the wish of Gov. Tilden—then in nomination for President—that Judge Hand should be placed on the Democratic ticket as Governor in place of Mr. Seymour. Accordingly, at the instance of Mr. Tilden, it was agreed by the leaders of the party to place him in nomination at an adjourned convention to be held. Though everything then pointed to the success which crowned the Democratic party that year, Judge Hand, for reasons which controlled him, reluctantly declined to become a candidate for Governor. In November, 1875, according to a concurrent resolution of the Legislature, Judge Hand was appointed a commissioner to devise a plan for the government of cities. The other members of the commission were Mr. Evarts, Judge Lott, Edward Cooper, E. L. Godkin, of the *Nation*, Simon Sterne, James C. Carter, Dr. Anderson, of the Rochester University, and Hon. Joshua R. Van Cott.

On June 25, 1884, the degree of LL.D. was conferred upon him by Union College.

His love of study, as we have said, was one of the earliest traits of character which he developed. This love of study has strengthened as he has advanced in life. Though the study of his profession has been intense, yet he has never neglected a judicious continuation of his classical studies. His literary taste, refined and elevated by a familiar acquaintance with the best authors, ancient and modern, renders him an appreciative and generous critic, a pleasing and instructive companion.

In 1861 he edited notes to the American edition of "Philobiblon," written by Debury, Bishop of Durham, and Chancellor of Edward III. This edition is a carefully revised Latin text, and translation of three French prefaces of M. Cocheris, a learned French writer and editor. This work was published by Joel Munsell, of Albany.

Judge Hand was one of the first Vice-Presidents of the New York State Bar Association, and was President of that institution in its third and fourth years, succeeding Judge John K. Porter, its first President. At the annual meeting of the Association, in the second year of his presidency, Judge Hand prepared and delivered an elaborate and highly popular address.

This address has been published in the proceedings of the Association, and large parts of it in the *Albany Law Journal* and other periodicals and



journals. He is now President of the *Chi Psi* Alumni Association of Northern New York and the Mohawk and Hudson River Valleys.

In his domestic relations, Judge Hand is happy, and he is held in high esteem, not only by the citizens of Albany, among whom he has long been a resident, but by the citizens of the State generally, with whom he has been brought in intimate relations.

In 1863 he was united in marriage, by the Rev. Dr. John Campbell, to Miss Learned, daughter of Billings P. Learned, Esq., President of the Union Bank, and a niece of Judge Wm. L. Learned, of the Supreme Court.

Judge Hand is still in the vigor of his manhood, at the head of his profession, with a large and influential and opulent clientage; he has, therefore, many years of usefulness and distinction before him.

#### LYMAN TREMAIN.

LYMAN TREMAIN, an honored name in the history of the State of New York, was the son of Levi and Mindwell Tremain, and was born at Durham, Greene County, N. Y., June 14, 1819. "The ancestor from whom he derives his Christian name, and who was the progenitor of the Lyman family in America, came among the first colonists to Boston in 1730. Not long after he penetrated the wilderness to the westward into what is now Connecticut, and became one of the founders of Hartford." Lyman Tremain's paternal grandfather was a soldier in the Revolution, belonging to the Connecticut line, and participated in many of the battles of that great struggle for liberty.

His father was among the earliest settlers of the County of Greene—one of its pioneers. He was a farmer and an extensive business man, generally respected for sound sense, intelligence and honorable dealings in the society in which he lived. With his other qualities, he was a lover of books, reading with pleasure and profit the great English and American authors. To his father young Tremain was indebted for that desire for knowledge which continued fresh and warm down to the closing scenes of his life.

He obtained the rudiments of his education in the best school of his native town, very soon mastering all the branches taught there, and then took up the study of the higher branches, which he pursued with great energy and profit without an instructor. He seems to have pursued a judicious course of reading, and he early became enamored with the classical writers of the old English school, of Milton and Dryden, of Shakespeare and Pope. From the solid sense, beautiful diction and imagery of these writers he derived that almost perfect use of language, that versatility of thought and expression, which subsequently enlivened his legal arguments, and gave such attractions to his written productions.

It was Edmund Burke who said that "without a system of self-culture no man can become accomplished in polemics."

At the age of thirteen young Tremain entered Kinderhook Academy, where, under the instruction

of a distinguished linguist, he pursued for two and a half years the study of Greek and Latin and mathematics, obtaining an excellent practical education. Leaving the Academy, he entered the law office of John O'Brien, Esq., and began the study of law, afterward completing his legal education with Sherwood & White, a highly respectable legal firm of the City of New York.

In 1840 he was admitted to practice, and immediately returned to Durham, where he formed a partnership with his former preceptor, Mr. O'Brien. The young lawyer received a warm welcome from the people of his native town, and when only twenty-two years of age, they elected him Supervisor, although he was a Democrat and the town was decidedly Whig in politics. After four years' practice, he was, in 1844, appointed District Attorney of Greene County. The Constitution of 1846 made this office elective, and established a County Court in place of the old Court of Common Pleas. At the first judicial election under the new Constitution Mr. Tremain was elected County Judge and Surrogate of Greene County. He was then at the age of twenty-seven. These offices he held three years, discharging their duties with marked ability. In the fall of 1851 he was renominated by the Democrats for County Judge; his opponent was Hon. Alexander H. Bailey, subsequently a State Senator. The contest was very animated and close, and the result doubtful, and depended upon the action of the Board of Canvassers as to whether a certain alleged return from an election district in the Town of Catskill should be rejected for irregularities or counted. The Board rejected the return, awarding the certificate to Judge Tremain, and adjourned *sine die*. Mr. Bailey contested this question by the usual process of an alternative mandamus, returnable at the General Term for the Third Judicial District.

This writ required the Supervisors to show cause why they should not meet again and re-canvass the votes. After elaborate argument, the General Term refused the mandamus, holding that the adjournment of the Supervisors terminated their power to re-convene and re-canvass; that the remedy of Mr. Bailey was to be sought through a writ of *quo warranto*. This left Judge Tremain in possession of the office. But such was his keen sensibility he would not accept the office, where there existed the least doubt of his legal election, and he declined the certificate and Mr. Bailey became County Judge.

In the meantime his practice had rapidly increased, requiring his frequent attendance at the Court of Appeals and the General Term at Albany.

A warm friendship had long existed between himself and the late Judge Rufus W. Peckham, which resulted in Judge Tremain's removal to Albany and becoming the law partner of Judge Peckham, a relation which continued till 1860, when the latter was elected a Justice of the Supreme Court.

Mr. Tremain's reputation had preceded his removal to Albany, and at once gave him a high rank at its Bar.

Long before the meeting of the Democratic State Convention he was prominently mentioned as a candidate for Attorney-General. A little incident occurred in connection with the subject that exhibits Judge Tremain's high sense of honor. He was invited by a distinguished politician to attend the State Convention, under the assurance that his personal attendance would secure him the office of Attorney-General. "I should like the nomination for Attorney-General very much, but it would lose all its pleasures were I to go to Syracuse and personally seek it." He did not go; but he was there nominated by acclamation, and at the ensuing election he was elected, serving two years.

One of the important cases which he conducted was that of the *People vs. Mrs. Hartung*, indicted for the murder of her husband. Mr. Tremain assisted the District Attorney of Albany County at this trial.

Mr. Tremain experienced in this case one of the greatest difficulties of an advocate—that of trying a cause against a prepossessing woman.

The prisoner was a young and handsome woman, the motive for her crime being her love for another man. Her modest appearance, quiet demeanor, her youth and beauty, created the strongest sympathy for her. She was ably defended, but the proofs of her guilt were strong, and presented to the jury by Mr. Tremain in such a convincing, able and exhaustive manner that she was convicted. Her case was removed to the Supreme Court, where the conviction was affirmed. An appeal was taken to the Court of Appeals, where her conviction was again affirmed. In both these tribunals Mr. Tremain conducted the argument for the people.

Another very important criminal case in which he assisted the District Attorney of New York County occurred while he was Attorney-General—the case of the Italian, Cancemi, charged with the murder of a police officer in the City of New York.

After some progress in the trial, the prosecution learned that one of the jurors was corrupt. The matter was finally arranged by a stipulation, signed in open court by the prisoner, his counsel and the counsel for the people, providing for a verdict by the remaining eleven, and that it should be the same as though tried by the twelve. The trial proceeded and Cancemi was convicted; whereupon, notwithstanding their solemn agreement in writing, the prisoner's counsel took an appeal to the General Term of the Supreme Court, alleging, as a ground of error, that this stipulation was illegal and void, on the ground that the prisoner or his counsel cannot consent to a trial by less than the number of twelve jurors. The Court held with the prisoner's counsel, and the conviction was set aside.

In 1859, as Mr. Tremain's official term was drawing to a close, he was again put in nomination by the Democrats of the State, but it was carried by the Republicans; Hon. Charles G. Myers, his opponent, was elected. While Mr. Tremain was Attorney-General he had, upon the request of the Senate, given to that body an elaborate opinion

covering the question of the constitutionality of repealing the act for the Collection of Tolls, coming to the conclusion that the act was valid.

His successor, by request, in March, 1860, sent a communication to the Legislature that, in his opinion, the repealing act was unconstitutional, and he brought an action to test the constitutionality of the act, and to recover back tolls from the railroad company. Mr. Tremain was employed to defend such claim as senior counsel. On trial at the Circuit a non-suit was granted; the people appealed to the General Term, and the non-suit was affirmed. They then appealed to the Court of Appeals, and the non-suit was again affirmed. This ended the litigation. Mr. Tremain's arguments were masterly vindications of the power of the Legislature to pass the repealing acts.

This was exceedingly gratifying to him, as Attorney-General Myers had strenuously held to the reverse of this. Thus he stood a leader in his profession, taking part in the most important cases in the State, when the War of the Rebellion broke out.

We have seen that down to this time Mr. Tremain was a Democrat; but after occupying the position in opposition to civil war for some time, he became convinced that it was the duty of every patriotic citizen to use every exertion to sustain the Government in the Rebellion, and he gradually gravitated toward the Republican party as the Rebellion increased in its dangerous proportions, and when the only questions at issue became the approval of certain of the acts of the Administration, and their probable or possible effect, not only upon the war itself, but after the return of peace.

He was charged by his old political friends with inconsistency in separating from his life-long political friends and joining, as he did, the Republican party; but he felt compelled to this by a sense of duty to his country. In proof of his sincerity, he gave his first-born son, "his beautiful and his brave," a mere stripling, to the service of his country; but he parted with the brilliant youth, and, alas! he parted with him forever.

In the autumn of 1862 he was, without solicitation, nominated for Lieutenant-Governor, with Gen. Wadsworth as the candidate for Governor, against Horatio Seymour and David F. Jones, Democratic candidates for Governor and Lieutenant-Governor. The Republican ticket was defeated by a majority of about 10,000.

Mr. Tremain now returned with a renewed vigor to his large legal practice, not forgetting, however, to use his influence and his eloquence in aiding a vigorous prosecution of the war. About this time he was retained in the famous legal tender cases, the question involving the constitutionality of that section of the law of Congress which gave the greenback its legal tender quality. His argument in the Court of Appeals was a powerful vindication of that clause. The constitutionality of it was upheld by a divided vote, and thus an appeal to the Supreme Court of the United States was prevented, and greenbacks as legal tenders were made lawful. He was also retained to defend

the banks upon the claims made to tax the shares in national banks created under the act of Congress. Mr. Tremain took the ground that such taxation was illegal, but the Court of Appeals held against him. He then appealed to the United States Supreme Court, where the judgment of the Court of Appeals was reversed. Thus he continued in one of the most distinguished professional careers in the State, advocating in the meantime the vigorous prosecution of the war to its close; but just prior to that happy event he sustained a terrible affliction in the loss of his gallant and almost idolized son, Col. Frederick L. Tremain, who, young as he was, only about 21 years of age, had been promoted for gallant conduct on the field to the rank of Lieutenant-Colonel in the 10th Regiment of New York Cavalry, and fell at the head of his regiment at Hatcher's Run, Va., February 6, 1865.

In the fall of 1865 Mr. Tremain was nominated and elected Member of Assembly from Albany County. His colleague was the Hon. Clark B. Cochrane. On the meeting of the Legislature Mr. Tremain was elected Speaker. The history of that remarkable session bears indubitable evidence of the great ability with which he discharged the duties of this office.

He was engaged with the District Attorney of Albany in the prosecution of Gen. Cole, who had in a cowardly manner assassinated L. Harris Hiscock, a member of the Constitutional Convention of 1867 (8), at Stanwix Hall. Cole was defended by James T. Brady and William A. Beach. The defense was insanity, superinduced by the alleged criminal intimacy of Hiscock with the wife of Cole. The case was twice tried, the jury on the first trial disagreeing; on the second trial the prisoner was acquitted, the jury rendering the singular verdict that just before and just after the murder Cole was sane, but that he was insane when it was committed. Mr. Tremain's argument to the jury has passed into legal history as one of the most splendid efforts ever made at the Bar.

During the whole of Mr. Tremain's professional life he had been subject to frequent and painful attacks of inflammatory rheumatism, which would come suddenly upon him. He would frequently retire at night in perfect health, but before morning would be perfectly helpless, suffering indescribable anguish. All prescriptions produced only temporary relief, and in 1869 he decided upon a voyage to Europe, his wife and daughter accompanying him; he was absent about one year. On his return to Albany, nearly or quite restored to health, as he believed, he was tendered a public reception by citizens who held him in the highest esteem. In 1872 his name was prominently brought forward as a candidate for Governor, but he respectfully but firmly declined the proffered honor. In the autumn of 1873 he was unanimously nominated for Congressman-at-Large on the Republican ticket and was, with the rest of the ticket, elected. "He entered the Forty-third Congress with a constituency of 4,000,000 of people. On taking his seat in the House the

Speaker assigned him the second place on the Judiciary Committee in advance of several old and experienced members. He performed all his arduous duties as a member of this committee in a manner that gave him a national reputation."

In 1871 he was called to assist the Attorney-General and Mr. Wheeler H. Peckham, of New York, in the prosecution of the astounding frauds of the Tweed Ring. The great legal contest which this prosecution brought on is one of the most remarkable in legal history, equal in importance and interest to the trial of Warren Hastings on the Begum and other charges. To attack Tweed and his ring was a herculean effort; their power, wealth and influence seemed so great as to defy the law and crush all efforts to convict them.

On Tweed's first trial the jury failed to agree; he was again brought to trial in the fall of 1873, before Judge Noah Davis and a jury. The care and scrutiny which Messrs. Tremain and Peckham bestowed upon the selection of a jury was a striking and interesting incident in this great trial, with the eyes of the world resting upon it. But a jury of honest, unbiased men were obtained and Tweed was convicted upon the great number of counts in the indictment.

After strenuous efforts for an arrest of judgment, he was sentenced upon a number of counts in the indictment, all of them aggregating to a term of imprisonment in the penitentiary for many years.

"Congratulations poured in upon the counsel for the people from all sides, and Mr. Tremain had the satisfaction of bringing to punishment the greatest criminal of the age." Appeals were taken to the higher courts to test the power of the Oyer and Terminer to inflict these several sentences, the result of which was the reduction of the number of sentences to one term of imprisonment.

When Edward S. Stokes startled the whole country by assassinating James Fisk, Jr., it became a question of intense interest to learn who he would select from among the great lawyers of the times as his leading counsel. When, after the most earnest consultation on the subject with his friends, it was known that his choice fell upon Mr. Tremain, every one believed that he had taken the surest step possible to shield himself from punishment; nor were they mistaken, as the result showed. The sentiment of the community was decidedly against Stokes, and that sentiment in a large degree pervaded the jury box. In many respects it was a trial for which Mr. Tremain's mind was peculiarly fitted; in conducting it he showed uncommon tact in sifting testimony, detecting motives, and great art in the examination of the evidence. When occasion occurred for the use of keen satire and scorching sarcasm he used it with powerful effect.

Perhaps no advocate, except William H. Seward, in the defense of Freeman, ever stood more squarely between his client and public opinion than did Mr. Tremain in the Stokes case. Though determined to save his client from the gallows, he had little hope of securing his acquittal before a jury. It was, therefore, his policy, while

exerting every effort in his behalf, to secure sufficient points to obtain a new trial on exceptions in case his client was convicted. The jury did convict him, and Mr. Tremain did save sufficient exceptions on the trial to obtain a new trial. In this he exhibited all the acumen of a thoroughly learned lawyer, for it was his deep knowledge of the law that saved Edward Stokes from the gallows. After his conviction the case was removed to the Supreme Court, where the conviction was affirmed, "the Court holding that while there was error in the charge of the Judge in his definition of *murder*, the law inferred malice from the fact of the killing instead of leaving to the jury to find malice as a fact; yet the Court held the error had not been productive of harm to the prisoner when other portions of the charge were examined." The case was removed to the Court of Appeals. Mr. Tremain's argument in that tribunal was one which the lawyer, the student and the scholar will ever read with delight and profit; it bears the impress of a gigantic intellect and vast research. As a specimen of acute and powerful reasoning, enlivened occasionally by glowing eloquence, it ranks among the finest efforts of American legal oratory. As Dr. Johnson said of a similar effort at the English Bar, "It was bark and steel to the mind."

Mr. Tremain's triumph in results was equal to his great argument. The Court of Appeals reversed the judgment of the Supreme Court and the verdict of the jury, granting Stokes a new trial. Tremain had now obtained his great object; he had shielded his client from the influence of public opinion; he had given public indignation time to cool; he had taught the Courts to fear him, and when the new trial took place he entered upon it confident that he should shield his client from the gallows. Judge Davis, who presided, held every intendment against the prisoner, which was an embarrassment for Mr. Tremain; but he overcame whatever obstacles there were in Judge Davis' course, and with an almost superhuman effort defeated a conviction for murder in the first degree, securing a verdict for manslaughter only, on which Stokes was sentenced to State prison for only four years. Thus the astute and long-sighted policy of Mr. Tremain prevailed, and now, though his truly great defender is sleeping in an honored grave, Edward S. Stokes has for several years been a wealthy, successful and luxurious citizen of New York. So exhausted was Mr. Tremain after the last trial of Stokes, that he fell asleep at the dinner table in his hotel while the jury were deliberating.

During that trial his old disease afflicted him, but he resisted it as best he could with medical aid. In the second session of Congress he took his seat in that body, ranking among the leaders of the House. His speeches on the important questions that arose show that he was as accomplished in parliamentary debate as he was in the discussions of the Bar. Many of his speeches outlived their times, and they will be read as fine specimens of parliamentary eloquence and logic for years to come. Among these was that upon the subject of "The Disposition of the Balance of the Money

received from England by virtue of the Geneva Award." This speech was read with profound interest through the United States and Europe. His Congressional career ended March, 1875, and he retired exhausted and suffering from the repeated attacks of disease, aggravated by the unwholesome air of the House.

He returned to Albany, but, unable to resume his business, he decided upon another voyage to Europe with his wife. He returned much improved, though not restored to health. Soon after his return he was unfortunately induced to undertake the defense of Frederick Smith, tried for murder at the Fulton Oyer and Terminer early in 1876. This case was to the people of Fulton County what the Stokes case was to the City of New York. Public opinion was strongly against the accused, as was also the evidence. The court room was crowded, the air in it poisonous to Mr. Tremain, and he became so ill that court was compelled to adjourn, and for a time he was confined to his bed. As soon as he felt himself able, weak as he was, he took his place at the Bar and the trial was resumed. The energy he exhibited was a matter of wonder to all; suffering as he was, he entered on the duty of addressing the jury in a manner so surprisingly powerful that it was hard to believe him suffering from a disease which had a fatal hold upon him. "He stood before the jury for hours, pleading with them by turns, with all his old-time voice and charm of manner, and then clearly and forcibly disintegrating the evidence for the people, denouncing in deep and stern tones its flimsy character. The jury acquitted the prisoner, and the verdict was due to the able manner in which Mr. Tremain tried the cause and to the magnificent manner in which he closed it." This was his last important case; his strength never returned; he breathed with difficulty and his spirits were clouded. He went to his office, but was too ill to take any part in business. At this time his partners were Rufus W. Peckham, son of his old friend and former partner, and now a Judge of the Supreme Court, and his son Grenville Tremain.

We have thus sketched the professional, political and public life of Lyman Tremain, of whom it is no affectation to say that he was one of the most brilliant lights of the Bar of the State of New York, with full mastery of the eloquence of the Bar in its best days.

It remains now to consider briefly his private life. That such a man as Mr. Tremain should be a favorite in the high circle in which he moved is natural. At the head of a refined and happy family, in which centered great domestic happiness, surrounded by all that could make life happy, admired and honored by his brethren of the Bar, it would seem that he was beyond the reach of affliction and sorrow.

In August, 1842, he was united by marriage to Miss Helen Cornwall, of Catskill, N. Y., a lady of much personal worth and many accomplishments. Never were husband and wife more strongly attached. The sufferings of the former from the painful



*1875*

attacks of the disease we have mentioned rendered him an object of the tenderest care and solicitude to the wife. Her gentle, loving and faithful ministrations did much to sustain him and retard the ravages of disease, strengthening him and enabling him to continue his brilliant and ardent career down to the time when human efforts to succor him became of no avail.

Four children, three sons and one daughter, were born to this marriage. The sons all passed from earth before the death of Mr. Tremain. Their first-born, Frederick, as we have seen, fell in battle. The sorrow and gloom which the death of this gallant young soldier produced in Albany and elsewhere is recorded in a volume devoted to the history of his life. In the fall of 1868, a bright and beautiful boy of seven was suddenly taken away, under the most painful circumstances. He died from the effects of a fall over the banisters of a stairway in his father's house, almost under his father's eyes. His other son, Grenville, his law partner, inherited all his father's talents, all his eloquence, and all his personal worth. Young as he was, he attained a commanding position at the Bar; so commanding that in 1877 he received the nomination, by acclamation, of Attorney-General from the Republican party. This was a spontaneous and splendid tribute, all unsought, both to father and son. The Republican ticket was not successful in the State, but young Tremain received a most flattering vote, running largely ahead of his ticket, and obtaining a majority of votes in Albany County.

But this young man, so gifted, so winning, so idolized by his parents, was suddenly stricken by a fatal illness, which terminated fatally in a very few days. From this terrible blow Mr. Tremain never recovered. The deep fountains of sorrow were opened for him; over his heart a wintry change had come, and the sunlight of his life was shadowed. But he lingered through the summer and fall of 1878, dying on the 30th of November. His death, though not unexpected, created a most profound sensation throughout the State. The Bench, the Bar and the Press attested their respect for his memory; the former by proceedings characterized by the deepest solemnity and sorrow; the latter by tributes the most respectful and of the highest ability. The popular favor which he enjoyed in such unmeasured profusion was exhibited by many unusual demonstrations of public and private sorrow; every degree of talent and of eloquence offered to his memory green and fragrant garlands.

In person Judge Tremain was above the middle height, of strong, vigorous mould and dignified presence. His face was uncommonly attractive, with large blue eyes, broad, open forehead, mouth and teeth of great beauty, and a smile unusually winning and cordial. In private life those who knew him best felt for him the sincerest affection. He was a model husband, father and friend; his disposition was amiable and generous. During his long and at times distressing illness he governed himself with rare self-restraint. His un-

wearied, heroic patience, unfailing good humor and cheerful courage rendered attendance upon his needs a pleasure to all. Mr. Tremain was a sincere, devoted believer in the teachings of the sacred Scripture. His primary characteristic, that which gave him his peculiar weight in the community, was the force of his moral, religious principles; a force which operated with the steadiness of a law of nature, blending harmoniously with his brilliant talents. To live religiously he did not think himself called to give up the proper pursuits and gratifications of human nature. He believed that religion was in harmony with intellectual improvements, with the pleasures of imagination and society, and especially with the kindly affections, and thus religious principle added tenderness, steadiness, dignity, to the impulses of nature. Without pretension or show, or any striking discoveries of emotion, he felt the claim of everything human upon his sympathy and his service, and his strong abiding hope of a blessed immortality beautifully sustained him during the fatal illness that terminated his life. Finally, may we not say that he whose life and acts we have recorded is really the speaker? That it is he rather than his biographer who teaches us from the tomb where his head now lies low, or rather from that world into which his soul has passed, such valuable lessons as may be drawn from his example in the annals of his life. Reflecting on that life, recalling its modest beginnings and its solid achievements, his fidelity to duty and his loyalty to principle, the soundness of his judgments and the just balance of his thoughts, the simplicity of his character and his winning personal traits; considering the range of offices well filled, his obligation to his clients well and honorably discharged; reflecting on all this, do we not find the elements of a picture of what a man ought to be—the portraiture of the son, the husband and the parent, the student, the scholar, the lawyer, orator, patriot and Christian.

#### JOHN C. NOTT.

Judge JOHN C. NOTT was born at Norman Vale, the old Taylor homestead in Guelderland, Albany County, N. Y., August 15, 1835. His father was Hon. Benjamin Nott, son of Dr. Eliphilet Nott, for many years President of Union College.

Judge Nott's mother was Elizabeth Cooper, a sister of Gen. John Taylor Cooper, of Albany, and a granddaughter of Gov. John Taylor, a distinguished character in the early history of the State of New York. In 1843 Hon. Benjamin Nott became a resident of Bethlehem, Albany County.

In his early boyhood young Nott attended the common school of Bethlehem, where he acquired a rudimentary education. He prepared for college at the Albany Academy, and entered Union College, from whence he was graduated in the class of 1856. He took his degree, with the reputation of an excellent scholar.

In conformity with his intention of entering the legal profession, he became a student at law in the office of *Caggar, Porter & Hand*, of Albany, a

distinguished law firm, with a State and national reputation. The advantages which young Nott derived from his studentship in this firm of acquiring a solid, practical legal education have been manifested in his professional and judicial career. He was also a student in the Albany Law School, and is an alumnus of its class of 1863, and in that year he was admitted to the Bar.

One of his early traits was a marked love for military affairs; to these he gave such attention that he became an accomplished citizen soldier, exhibiting such decided abilities that in 1865 he was promoted to the rank of Colonel of the Eighty-second Regiment, N. G., S. N. Y. The efficient and practical knowledge he brought to his office exhibited itself in the drill and discipline of his command.

In 1866 he formed a partnership with the late Hon. Wm. S. Paddock, of Albany, in the practice of his profession, under the firm name of Paddock & Nott. This same year he was elected School Commissioner for the First District of Albany County, and although the business of his law firm was large and extended, he found time to discharge in a faithful and acceptable manner the duties of his office. His relation with Recorder Paddock continued to the year 1874, when he was nominated for Police Justice by the Democrats of Albany. He was elected by a plurality of 2,400. In 1878 he was renominated and elected by a majority of 3,700 over his Republican competitor. In 1882 he was a third time nominated, and was elected by a majority of about six thousand. These repeated elections, with such largely increased majorities, eloquently attest the ability with which he discharged his first judicial duties, and the estimation in which he was held by the citizens of Albany.

In 1882 he formed a partnership with Isaac B. Barrett, a gentleman whose legal attainments are generally acknowledged, and who occupies a high standing at the Albany Bar. This partnership still continues, and is a leading firm of Albany.

The appreciation of Judge Nott was manifested in a higher and more marked degree by his elevation to the Bench of the County Court of Albany County.

On October 10, 1883, the Citizens' Association of Albany nominated him for County Judge. Three days later he received the indorsement of the Democratic County Convention, and was elected at the general election in November following, by an unusually large majority of five thousand nine hundred and seventy-seven, being the highest majority of any nominee on the ticket.

He brought to the Bench all those qualities that rendered him so useful and popular in his former official position. He exhibited familiarity with statute law, criminal law and the laws of evidence. In the trial of causes he grasped the facts with rapid precision, and decided both questions of law and fact promptly and without circumlocution.

"On the bench he is not given to verbosity. In passing upon questions of law in a civil action, or imposing its penalties on convicted criminals, he is

always brief and to the point. He does not wander off into a maze of decisions, theories or parallel cases, nor does he read vapid homilies to them." He pronounces his decisions in terse, positive language, and he comes to his sentences of criminals with directness and dignity. His severity is always adequate to the crime of which the criminal is convicted, and he gives due consideration to properly established mitigating circumstances.

One of the first trials at which Judge Nott presided was of absorbing interest. It was at the April, 1884, term of the Court of Sessions, and the manner in which he presided commended him alike to the admiration of the Bar and the respect and confidence of the public. Alfred F. Vedder, a minister of the Gospel, was arraigned for procuring an abortion to be performed upon one Anna A. Walters, a young lady who had been one of his flock. The story she told was highly sensational, relating to their first meetings, their visits together to different hotels and to different cities, and in many of the details her story was strongly corroborated by circumstantial evidence. The defense was conducted with great earnestness, and every possible point made and saved for review. Judge Nott held the scales of justice evenly balanced, ruled promptly on the many law questions presented, and at the close of the evidence, in a lucid charge, submitted the case to the jury, which rendered a charge of guilty, and Vedder was sentenced to State Prison for four years.

Many difficult law questions were debated on the trial. Was Miss Walters an accomplice of the prisoner? became a very important question. If she was, her evidence required corroboration under section 399 of the Code of Criminal Procedure. It was argued for the defense that she was a party to the crime, consenting, and equally guilty with the prisoner. Judge Nott held that she was not an accomplice, but rather a victim. An appeal was taken to the General Term of the Supreme Court, and the conviction was affirmed by a divided court. A further appeal was taken to the Court of Appeals, and that court unanimously confirmed the conviction, and thus settled in this State the mooted question of whether a woman who submits to an abortion is an accomplice of the procurer. The opinion of that court was written by Chief-Justice Ruger, and contains a review of the trial, and expressly affirms every ruling made on the trial. This case justly added to the reputation of Judge Nott, and placed him in the ranks of the ablest of our trial judges.

His written opinions have the impress of reflection and learning, always interlarded with sufficient precedent to sustain his conclusions; but they were never loaded down with pedantic quotations. From his written opinions we have room to refer to only two. Although very brief, they are very important, and give the reader a very adequate knowledge of the character and style of his judicial mind and method.

The first of these cases is that of *The People vs. John Harrington and George Messer, Jr.*, in the Albany County Sessions. The defendants, at the

June term in 1883, Judge Van Alstyne presiding, pleaded guilty to an indictment for burglary in the second degree. Their sentence was suspended and they were discharged from custody. In November, 1884, they were committed to jail by one of the police justices, charged with another crime; whereupon the District Attorney, on December 5, 1884, caused them to be brought into that court, Judge Nott presiding, and moved that each be sentenced under his plea of guilty, entered at the June term of 1883. Their counsel objected to the sentence, under which a very interesting law point was raised and elaborately argued, touching the rights of the court to suspend the sentence of convicted criminals and discharge them indefinitely, and the right of a court to inflict a sentence at any subsequent time on motion of the District Attorney.

At the time the plea of guilty was entered both defendants were under sixteen years of age. When brought up for sentence, Harrington yet was under sixteen, but Messer was over that age.

"In the case of the *People vs. Monisette* (20 Howard Pr., 118)," says Judge Nott in his opinion, "the Court of Oyer and Terminer refused to suspend sentence, holding that no suspension of sentence or stay is authorized, except upon a certiorari or writ of error, on application in arrest of judgment, or for a new trial; but this ruling is contrary to the current of cases in this country, and the precise point has been recently determined in the Fourth Department of the Supreme Court in the *People vs. Graves*. Says Hardin, J.: 'We regard the essential question in this case so firmly resolved against the appellant by the authorities that we do not deem it useful to open the question for fresh investigation and adjudication (2 N. Y. Crim. Rep., 227). It is just and proper that the power to suspend sentence should exist in the Superior Criminal Courts. Great harm might flow to society in the destruction of the means of those charged with the administration of criminal justice, to expose through this aid dangerous conspiracies to person and property.' 'It would seem,' says Dixon, J., 'that it is stating the matter too broadly to assert that it is always the imperative duty of a court to render judgment on a conviction of crime, unless some legal proceedings for review be interposed; considerations of public policy may induce the court to stay its hand (*State vs. Addy*, 14 Vroom, 113-39, Am. Rep., 546).' In the case of Harrington, the clemency of this court seems to have had no salutary effect upon him. We find him again in the custody of the law, charged with crime, and our duty is to impose sentence upon him, which is that he be confined in the House of Refuge during the pleasure of the managers (*Park vs. People*, 1 Lansing, 263). In Messer's case a different question is presented. In his case, at the time of his plea of guilty, he was one of that class of criminals recognized as juvenile delinquents, and the sentence of the court might and probably would have been to the House of Refuge, where his mind would have been properly trained and means taken to reform and educate him, and although but for the provisions of the Code of Criminal Procedure (sec. 832), he would be disqualified as a witness (*People vs. Park*, 41 N. Y., 21), yet his right to vote at any election when arriving of age would not be taken away (Penal Code, 711). He is now over the age of sixteen years, and if sentenced he must be imprisoned in a State prison for not more than ten years nor less than five years (Penal Code, 507), or to the Elmira Reformatory, wherefrom he may be transferred to a State prison.

"A sentence now under the plea of guilty would be adding an additional penalty to that which might and probably would have been suffered if sentenced at the time he entered his plea, that of disfranchisement. It is an exemplary rule that any law that changes the punishment and inflicts a greater punishment than the law annexed to the crime when committed is void (*Calder vs. Bull*, 3 Dall., 386 390), and the rule is the same when the law is changed

after conviction (*Hartung vs. People*, 22 N. Y., 95). The humanity of our law and the genius of our Constitution require that no severer penalty should be imposed on a criminal than that which existed when the offense was committed or a conviction had. In *State vs. Addy* (43 New Jersey Law Reports, 113), it was held on a conviction of maintaining a nuisance, the court having suspended sentence on payment of costs, so long as the defendant should abate the nuisance, that a sentence of imprisonment at a subsequent time was void.

"The charity of a court should not be allowed to work an injustice to a defendant. Independent of the question of disfranchisement, there is such a marked difference between the methods and prison discipline of the House of Refuge and a State prison that it is apparent that a sentence now of Messer to a State prison would be harder and more severe than if sentenced over a year ago, when the plea was entered! Entertaining these views, the court declines to sentence Messer on his plea of guilty, and remands him into the custody of the Sheriff, under the later criminal charge, upon which he was committed to jail, to be proceeded against as the law directs."

This decision, it will be seen, is sustained by acute reasoning, strongly fortified by legal authorities and common sense suggestions, and exhibits an able, fearless and humane judicial officer.

The other case to which we alluded is that of *Heenan vs. The West Shore Railroad*. It is of great importance, as it settles the jurisdiction of the County Court over the person in regard to the service of processes from it, and what constitutes the legal residence of domestic corporations.

Heenan brought an action against the West Shore R. R., in the County Court of Albany County, to recover damages for injury to personal property, caused in defendant's negligence in operating its railroads through the village of West Troy, in Albany County.

The complaint alleges that the defendant is a domestic corporation, engaged in the carrying of freight and passengers for hire in various parts of the State, including the County of Albany; that a part of its line of road is located in this county.

The answer of the defendant admits that it is a domestic corporation, and avers that its principal place of business is, and was at and long before the commencement of this action, established by its articles of association and actually located in the City of New York; that its principal place of business never was established or located in the County of Albany, and that the summons was served upon the defendant in the City of New York. The answer also puts in issue the various allegations in the complaint.

On the trial it was established that the defendant, being a railroad corporation, operated its road through various counties of the State, including Albany County; that by the articles of association and in fact its principal place of business is and was located in the City of New York; that the summons in the action was served upon one of the officers of the defendant in the City of New York.

The plaintiff had a verdict, whereupon the defendant moved for a new trial and a dismissal of the complaint.

"Two questions," said Judge Nott, "are presented for the consideration of the court: first, has the court such jurisdiction as to entertain the action? second, if it has not, has the defendant waived, or is he precluded from raising, the

point, he having appeared and answered? The Code of Civil Procedure provides that for the purpose of determining the jurisdiction of the County Court a domestic corporation or joint stock association, whose principal place of business is established by or pursuant to a statute or by its articles of association, or is actually located within the county, is deemed a resident of the county, and personal service of a summons made within the county, as prescribed by the Code, is sufficient (sec. 541). Our jurisdiction, therefore, by this provision, in the case of a domestic corporation, depends, first, upon the location within our county of its principal place of business, whether by force of a special statute or its articles of association, or its actual location; and secondly, personal service of the summons within the county upon one of those of its officers who may be served under the Code of Civil Procedure with a summons in an action against it.

"The provisions of the Constitution in reference to the County Court (art. 6, sec. 15) are broad enough to permit the Legislature to confer this power upon the County Court, and that it is so eminently proper to cover cases where large business enterprises are carried on within the county, and some of its chief officers within the county directing its principal offices, although the principal office may be located in another county (*Gemp vs. Pratt*, 7 Daly, 197, distinguishing *Landers vs. The S. I. R. Co.*, 53 N. Y., 450)."

The conclusions the Court arrives at are as follows:

"Here the principal place of business of the defendant, by its articles of association, and in fact, is located within one county, and the summons was not served in this county. The conclusion reached is, that this Court has not jurisdiction over the defendant. This brings us to the conclusion of the second question: Has the defendant waived, or is it precluded from raising the objection. The plaintiff insists that, the defendant having answered and appeared generally in the action, although by its answer it raised the issue of its residence, it cannot now say it is a non-resident of the county, as the Court could acquire jurisdiction of the defendant by the service of the summons upon a proper officer of the company within the county, which could not be done in the case of an individual.

"I am of opinion that the allegations of the complaint as to residence were sufficient, and as the defect of which the defendant complains did not appear on the face of the complaint, he could not demur (Code, sec. 488). The objection to the jurisdiction was, therefore, properly taken by answer (Code, sec. 498); *Holbrook vs. Baker*, 16 Hun, 176; *Mayhew vs. Robinson*, 10 How, 162-5), and was not waived by appearance in the action, and an answer therein setting up the objection (*Sullivan vs. Frazer*, 4 Robt., 620; *Wheelock vs. Lee*, 74 N. Y., 497-8). In opposition to the rule at common law, under the Code, a defendant may plead as many defenses as he has, whether, as formerly denominated, to the jurisdiction in abatement or in bar (Code, sec. 507; *Sweet vs. Tuttle*, 16 N. Y., 465). It follows, therefore, that the general appearance of the defendant, distinctly by its pleading giving notice of its intention to raise the question of jurisdiction, is no waiver, nor does it preclude the defendant from insisting on the want of jurisdiction of this Court (*Landers vs. The S. I. R. Co.*, 53 N. Y., 450; *Davidsburgh vs. The K. L. Ins. Co.*, 90 N. Y., 526). The cases cited by the plaintiff's counsel (*Paulding vs. Hurd Man, Co.*, E. D. Smith, 38; *Ballard vs. Burrows*, 2 Robt., 206; *Olcott vs. McLean*, 73 N. Y., 223) do not apply to this case. An order must be entered granting the motion of the defendant and awarding a new trial, and the complaint should be dismissed."

This case was appealed to the General Term, and the opinion of Judge Nott was there cited, with approval, and unanimously confirmed.

Judge Nott takes much interest in secret benevolent organizations, known as Masonry, Knights of Pythias, Independent Order of Odd Fellows and the Order of United Friends, to all of which he has belonged for several years, and is held in

high estimation by his brethren of these orders. He finds great pleasure in advancing their interests, and his influence is recognized as salutary and advantageous. In 1879 he was elected Grand Chancellor of the Knights of Pythias, and in 1881 he represented the Grand Lodge in the Supreme Lodge. In December, 1881, on the organization of the Order of United Friends, he was elected Imperial Chancellor for the term of two years. The benefits of his administration among the benevolent orders of the United States are generally and warmly acknowledged.

In politics Judge Nott is a Democrat. To this party he gave his adherence early in life, under the conscientious conviction in the rectitude of its principles, though he is willing to acknowledge all real merit in opposing parties and political opponents, recognizing the necessity of political parties in a government organized like our own. While he is strong in his political predilections, he is in no sense a political bigot. In the discharge of his judicial duties he forgets politics, partisans, and political distinctions, deciding whatever matters come before him from the stand-point of strict impartiality.

Judge Nott carries into social life the amenities of a gentleman by intuition and association. Whatever sternness there is in his nature is exhibited only on the bench, and there only as occasion requires. In his social relations he is genial, easy of approach, attached to his friends, and attaches them to himself in those reciprocal relations, always agreeable in private life. Judge Nott has been, and still is, attached to the cause of education, and in this respect is also a very useful member of society. Such are the characteristics and such the career, down to this writing, of Judge John C. Nott, stated without embellishment or amplification. Readers of all classes will concede that an honorable place in the history of Albany County justly belongs to him.

#### EDWARD J. MEEGAN.

MR. MEEGAN possesses endowments that naturally qualify him for attaining success in his profession. Bold, ardent, self-reliant, clear in his conceptions, with an extensive knowledge of books. To these qualities may be added much ingenuity and a quick and ready use of his learning in the trial and conduct of causes, united with the ability to protect himself against the *coup d'état* of the most learned and experienced opponent, and in his turn is formidable in the attack, quick in detecting the errors and omissions of others.

Thus equipped, though quite young, he has reached the head of the junior, if not the senior, Bar of his native city. His singular success in the management of important causes in all of the State Courts is proverbial. Some of these causes have passed into history, made interesting to the student and practitioner by the new and original points which determine cases in his favor. As is natural with one of his ambition, he has found in politics a sphere congenial to his tastes, in which he has gained a position of such eminence and influence



Edward J. Hall



that he has become a power and a leader in the Democratic party, to which he gave his early allegiance, as we shall more fully see in tracing his life and career.

He was born at Albany, N. Y., September 28, 1846. His parents were Thomas and Sarah Meegan, natives of the County of Tyrone, Ireland, from whence they came to this country in 1824, and became residents of Boston, Mass. In 1826 they removed to Albany, where they were highly respected, and there resided until their death.

Young Meegan developed a love of learning, his amusement being found in books and the practical reading of works apparently beyond his comprehension. As the means of his parents were limited, he was compelled to rely much upon his own resources in attaining his education; thus his capacity was not obscured nor his mental growth retarded by pampered indulgence or the want of strong incentive to action. Accustomed to early self-reliance, he entered the battle of life to become a victor.

At an early age he was placed at St. Joseph's Parish School, Albany, where he was carefully and profitably educated. It was in this institution that he gave indubitable evidence that his future life would be devoted to one of the learned professions. Indeed, one of the dreams of his early ambition was the hope of becoming a lawyer, and it is pleasant to record the manner in which those pleasing dreams became reality.

At the early age of thirteen these dreams began to take the form of reality and action. Young in years but precocious in intellect, he entered the law office of *Edwards & Sturtevant*, a highly respectable firm at Albany. He at once entered upon the practicable duties of a legal clerkship, learning that detail of a lawyer's life by witnessing and, in a measure, participating in the most important part of a lawyer's life and duties in the law office; and thus we may say that Mr. Meegan was, in the fullest sense, bred to the law.

He continued with this firm and with Isaac Edwards, Esq., distinguished as the author of "*Edwards on Bills and Notes*," and a highly approved work on *Bailments*, etc., until his admission to the Bar. This event took place in 1867, as soon as he reached the constitutional age of twenty-one years. He opened an office at Albany, surrounded by the highest legal talent and experience, and entered ardently and self-reliant into the practice of his profession.

He had passed with great credit through the teachings of his profession; his studentship was full and unconditional. He gave to the office in which he studied his entire time and attention—much more time than the law requires to fit a student for examination. He read with ambitious fidelity to his calling, and conducted with his own hands many hundred cases through all the intricacies of the Code; so that when he began practice for himself, young as he was, he was a trained and experienced lawyer. With these advantages, and unflagging energies, quickened by ambition, it is not strange that signal success at once attended him.

In May, 1869, he was elected by the Common Council of Albany Corporation Counsel, having then been only two years at the Bar. Perhaps no higher compliment could be paid to the talents of the young lawyer than this. The duties of the office demanded high abilities, learning and prudence. Happily, both for the city and him, he brought to it all these endowments.

When he commenced his official duties there were many unfinished suits, and he was confronted by an accumulation of official work that would have been almost appalling even to an older and much more experienced lawyer. But he entered ardently and sagaciously into the work before him. By his executive ability, professional skill and vigilance he saved the city over half a million of dollars. This was recognized by the city authorities, eliciting thanks from Mayor Thacher. Mr. Meegan continued to discharge the duties of Corporation Counsel until April, 1874. In the meantime his other legal business continued to increase until few, if any, lawyers in the city commanded a larger or more profitable clientage.

He adopted no specialty in his profession, for he had prepared himself for a general law practice. He devoted himself mostly to what is known as civil cases, but he found in the criminal law a field of usefulness and profit. The success which has attended his career at the Bar is the best demonstration of his character and capacity as a lawyer.

Mr. Meegan, having relinquished the office of Corporation Counsel, continued his practice with a useful experience in the management of city cases, particularly actions to vacate assessments for irregularity, etc. He was retained in a very large number of these cases, and was successful in every one. The best evidence of a lawyer's career is what he does and the results; we, therefore, select a few from the many cases conducted by Mr. Meegan as interesting matter, not only to the profession, but the general reader. Some of these cases are largely connected with the history of the City and County of Albany, and are, therefore, appropriate matter for this work. From our limited space, however, we can only give a sufficient abstract of these cases to put the reader in possession of the questions involved in them, and a knowledge of the manner in which they were conducted.

Perhaps one of the most important and interesting cases conducted by Mr. Meegan was that of Wm. H. Keeler, Sheriff of the County of Albany, in which the attempt was made to take from the sheriff the essential powers of his office; in other words, to denude the office.

On May 31, 1882, an act was passed by the Legislature directing the Sheriff of Albany County to remove all the prisoners from the Albany County Jail to the Albany County Penitentiary, designating that institution as the County Jail of Albany County, making the keeper of the said penitentiary the jailer of the said county.<sup>1</sup> He was to be appointed by the joint board of the Supervisors of the county and the Mayor and Recorder of the City of Albany. The said Superintendent was to have the custody and control of all persons confined in the

penitentiary, the same as the sheriff of the county would have were the law not enacted, and no jailer could, therefore, be appointed by the sheriff.

This act was a strange innovation upon the rights and powers of the sheriff, inasmuch as the control and charge of the prisoners in the county have been for centuries the prerogative of the sheriff.

Wm. H. Keeler was elected in November, 1882, and entered upon the duties of his office January 1, 1883, restricted by the act to which we have alluded.

The act had been pronounced constitutional by many leading members of the Bar, but Mr. Keeler decided to test the matter thoroughly. Accordingly, on January 1, 1883, he addressed Mr. Meegan a letter, requesting him to give him his written opinion as to the validity of the act. Mr. Meegan prepared an opinion, in which he elaborately reviewed the law touching the case, coming to the decision that the act was unconstitutional. This opinion was generally acknowledged by the Bar to be singularly learned and exhaustive, and added largely to the reputation of its author as a learned and critical lawyer. As a legal document it is prolific in thought, strong in argument—a condensation of a vast number of authorities to a single focal point, and that the evident unconstitutionality of the act. Strengthened by this opinion, Mr. Keeler invoked the aid of the courts. Litigation followed, resulting in a decision declaring the law unconstitutional and void.

It was a signal triumph both for the sheriff and his counsel. The case created intense interest, and Mr. Meegan undertook it with the prevailing opinion of the Bar against him. It is a case of historic interest, reported as *The People ex rel. McEwen vs. Keeler*, 29 Hun's Reports, 175.

Another case of equal interest and importance was that of *The People vs. James M. Dempsey et al.*, involving the constitutionality of chapter 532 of the Laws of 1881, amending the Code of Civil Procedure in regard to the method of selecting Grand Jurors in Albany County.

Grand jurors were annually selected by the Supervisors of Counties under the Revised Statutes (3d R. S., 6th ed., 1015; 3d R. S., 7th ed., 2558).

The amendment of the Code to which we have referred changed the method of selecting grand jurors in Albany County, providing that the Recorder of the City of Albany perform the duties imposed upon the Town Clerk, Supervisor and Assessor of Towns in regard to the drawing of grand jurors, instead of drawing the said jurors under the provisions of the Revised Statutes. The change was sweeping, completely revolutionizing the grand jury system, so far as Albany County was concerned.

It provides that the grand jurors in Albany County shall be drawn from the petit jurors' box, and that the names of the proposed petit jurors are selected, not, as heretofore, by the seventeen Supervisors, but by the Recorder of the City of Albany. The grand jury, as organized under this act, found an indictment against James M. Dempsey et al.

for an alleged violation of the Election laws. Mr. Meegan was retained to defend. This, like the Keeler case, created great interest. It involved an elaborate study of a large number of authorities. Meegan took the ground that the Code, as amended by chapter 532 of the Laws of 1881, so far as it affected the City and County of Albany, is in conflict with the Constitution, as amended November 3, 1874. Article 3 of section 18 of the Constitution provides that "the Legislature shall not pass a private or local bill in any of the following cases: \* \* \* selecting, drawing, summoning or impaneling grand or petit jurors."

The case was ably and learnedly conducted by the District Attorney, but it resulted in an order of the Court declaring the indictment void and of no effect, on the grounds of unconstitutionality. From this order an appeal was taken by the District Attorney to the Supreme Court. A motion made by Mr. Meegan for a dismissal of this appeal was successful. His arguments in the different and difficult phases of this case were, by common consent, pronounced masterly efforts. A report of the case will be found in 66 Howard's Pr. Reps., 371, and 65 Howard's Pr. Reps., 365; will be found in *People vs. Duff*—Judge Westbrook's opinion.

In the case of *The People vs. Petrea*, indicted for grand larceny in September, 1881, by a grand jury organized under the amendment of the Code to which we referred in the foregoing case, Mr. Meegan, in conducting the case for the accused, interposed the same defense of unconstitutionality that he did in the case of *Dempsey et al.*, and with the same results. The Laws of 1881 amending the Code were declared unconstitutional (65 Howard's Pr., 59). The question was again raised in the case of *The People vs. Hooghtind*, 67 Howard's Pr. Reps., 256. Judge Andrews, as will be seen by consulting page 259, expresses the strongest disapprobation of the Court at longer tolerating a system so directly in conflict with the provisions of the Constitution as that provided by the amendment of the Code to which we have referred.

In 1872 Mr. Meegan had charge of the defense in the celebrated case of *The People ex rel. Edmund L. Judson* agst. *George H. Thacher*, involving the title to the office of Mayor of the City of Albany. The trial of the case resulted in a verdict for the defendant. An appeal to the Court of Appeals resulted in an order for a new trial, but, pending the new trial, Mr. Thacher resigned, having served twenty months of his two years.

In 1882 Mr. Meegan was retained for the defense in another contest over the office of Mayor of the City of Albany, that of *The People ex rel. John Swinburne vs. Michael Nolan*. A long litigation followed, but, after holding the office fifteen months, Nolan resigned, and Swinburne served the remainder of the two years' term. These cases are so fresh in the recollection of the public that a minute description of them is unnecessary.

Perhaps no case which has occurred in Albany for years has created so much interest as that of *The People vs. Frank R. Sherwin*. It arose out of the defalcation of Deputy State Treasurer Phelps.



When his case was brought to trial, Sherwin was subpoenaed as a witness, and refused to attend, and for such refusal was indicted. Under the provisions of the Statute rendering it indictable for every person subpoenaed in a case like that of Phelps guilty of willful disobedience of the subpoena shall be guilty of a criminal offense and a misdemeanor.

One of the points raised by the defense was that it was not shown that Sherwin willfully and intentionally disobeyed the subpoena, that the burden of dispelling every possible reason which might be regarded by the court as good or otherwise for the non-attendance of the witness rested with the prosecution. Mr. Meegan took no part in the trial, which resulted in the conviction of Sherwin, and to a sentence of one year in the penitentiary and a fine of two hundred and fifty dollars. This was on December 28, 1883. On January 30, 1884, Mr. Meegan was retained. Wm. M. Evarts, Wm. A. Beech, Gen. Tremain and J. Thomas Spriggs had been in the case at different stages. At the urgent solicitation of the defendant, Mr. Meegan accepted a retainer for the purpose of avoiding his sentence upon procuring bail, etc.

Then began a succession of motions and applications in various forms, numberless arguments before the judges of the Supreme Court; at length the indomitable counsel procured stays of the sentence and had Sherwin admitted to bail in the sum of \$3,000.

Mr. Meegan had to impeach the indictments; but as there were two pleas of guilty, he could obtain no relief for his client unless he could show cause in the record. He spent many months in diligent and unremitting labor on the case, and at last succeeded in releasing his client on bail until the final decision of the appeal, which is pending.

Few lawyers have been more successful in criticizing and analyzing indictments than Mr. Meegan, and when his objections were overruled in the Oyer and Terminer, they have been sustained in the Appellate Courts.

In the celebrated case of the *People vs. Devine*, indicted for mayhem, the District Attorney had followed the form in Whorton, but omitted the words "on purpose." Although the indictment contained every other element of the offenses, it was quashed.

In another very important case, that of the *People vs. Gassbeck*, indicted for burglary, Mr. Meegan, for the defendant, succeeded in quashing the indictment on an ingenious point after an elaborate and well-sustained argument.

The cases which Mr. Meegan has conducted are too numerous to be even mentioned by their titles for want of space. An examination of his briefs proves them to be copious and learned legal productions and their author an adroit and skillful legal logician, capable of the most patient and persevering energy and research, which no difficulties can baffle, no embarrassments perplex, no amount of professional labor fatigue or discourage. As a forensic speaker, he is always calm; methodical in

the arrangement of his matter; terse, vigorous and pointed in his phraseology, and accurate in the choice of his words. It would be strange indeed if a person of Mr. Meegan's professional and social standing and ardent mind should keep aloof from politics. He is a Democrat, thoroughly imbued with the belief that the principles of Democracy should prevail. In the advocacy of those principles, he has brought to bear that intellectual strength, that singular versatility and imperturbable energy which characterize his professional career.

Before reaching his majority, he exhibited the qualities of an accomplished politician.

When he was twenty-one years of age, he assumed the leadership of one of the wings of the Democratic party in Albany, and in the vicissitudes of the political contest that followed, he took the place of one of the most skilled and distinguished politicians of the State, Peter Caggar, in which he has sustained himself with consummate ability and skill.

Without attempting any description of his political career, we may say with truth that he has exhibited on several occasions the fact that he is a power in politics, by no means local, but felt throughout the State. Yet he is still a young man. His success as a politician has not been at the expense of his profession, to which he subordinates politics and everything that can encumber the growth of his professional reputation. But his success and distinction in politics may fairly be considered as the stepping stone to the highest political honors whenever he shall enter the political arena to contend for them.

Having thus described Mr. Meegan as he stands before the public, as a lawyer and politician, it remains for us to say a few words in regard to his position in private life.

On the fifth of June, 1878, he was united by marriage to Miss Kate E. Welch, of Albany.

This union was a happy one, and the domestic relations of Mr. Meegan may be said to have been truly enviable. But on the 10th of January, 1884, after the enjoyment of less than six years of wedded happiness, he suffered an irreparable loss in the death of his wife.

As a citizen Mr. Meegan occupies a high position, possessing those attractive endowments which render him a pleasing and instructive companion. A large and admirably selected library affords him ample intellectual aliment and the gratification of a cultured literary taste.

#### HENRY SMITH.

HENRY SMITH was born in Cobleskill, Schoharie County, N. Y., March 14, 1829. His father, Thomas Smith, was for a long time at the head of the Schoharie Bar, and afterward he was a distinguished member of the Albany Bar.

His son, Henry, like many other distinguished legists and advocates, laid the foundation of his education in the common or district schools, which, humble as they were, have attached to them

memories and associations that touch the heart and bring up sympathies in the mind of many an occupant of places of distinction and honor. In a word, they were and are the corner-stone of our system of education.

One of the principal books used in the common schools at that time was Lindley Murray's English Reader, still remembered for the purity, elegance and taste of its diction, the versatility, elevation and excellence of its matter. It was, perhaps, the study of this work that gave Smith the strong, perspicuous, affluent style that characterized his oral and written productions.

What he could not learn in the district school he studied with success under the tuition of his father. At length he entered the academy at Esperance, N. Y., at the head of which was a scholarly, though somewhat eccentric, Scotch gentleman of the name of Wm. McLaren. He was particularly gifted in the art of imparting instruction by a thorough, practical discipline. Young Smith, who was a favorite with him, acquired those scholarly habits, devotion to study, and the knowledge how to study, which was of such advantage to him in life. He was untiring in his devotion to books, and his tenacious memory took the impression of what he read, like characters made in softened steel, hardening when the page was closed, so that he never lost the thought or theme of an author.

Young Smith first conceived the idea of becoming a merchant; accordingly, in 1844, he went to Detroit, Mich., where he engaged as a clerk in a hardware store; but whatever hours of leisure he had were devoted to his books, and he was emphatically a student and a man of business. He soon became convinced that he did not possess the requisite qualities for a successful merchant, and reflection brought to him the consciousness that he was better qualified to enter the profession of which his father was a distinguished member.

After remaining at Detroit a year he returned home and entered his father's office as a student at law. Few students read law as closely, as systematically and as successfully as did young Smith; he loved the quaint style, the metaphysical subtleties of the early black-letter law-writers, and the pages of Bracton, Briton, Fleta, Glanville and Coke-Littleton became familiar to him.

Eighteen months passed away in this entire devotion to study, and then, although but eighteen years of age, he applied for admission to the Schoharie Court of Common Pleas. On the 10th of June, 1847, he passed a critical and successful examination and was admitted to practice as an attorney of the court. Immediately after attaining his majority he was admitted to the Supreme Court, and entered zealously into the practice of his profession at Cobleskill. In the autumn of 1854 Mr. Smith received the nomination for county judge of Schoharie County from the Whig party, to which he had given his allegiance. His party, however, was largely in the minority, and he was of course defeated, but the large vote he received was a flattering testimonial of his popularity.

The talents, industry and energy of the young lawyer brought an abundant reward, and he soon attained a high rank at the Schoharie Bar. His practice soon extended into adjoining counties, and his clientage became so large and important that he decided upon a larger sphere of action, and in February, 1857, he removed to Albany.

By this decision he was conscious that he was entering a legal arena famous in the annals of the State—a bar composed of strong, expert, elegant and accomplished lawyers. But he had already developed abilities upon which he felt he could rely for success in the brilliant field of labor he had selected.

Physically, he was of stalwart mold, his mental structure was strong and vigorous, and his energy and determination were as boundless as his ambition. If he did not leap, Pallas-like, into full professional honors and success, he reached them by safe and sure approaches. To facilitate him in this, he possessed what may be called a legal mind and method; an oratory at once bold, ingenious and persuasive; the suavity of his manner, the equable fairness and honor in which he conducted his practice won for him the friendship and esteem of his brethren of the Bar. That success should be the result of these endowments must be considered almost a matter of course. Professional rivalry, envy, and the hate of defeated suitors and political antagonists might, and did, doubtless, as they ever do, magnify those errors and faults which Mr. Smith shared, in common with mankind.

He brought to the Bar a drastic, physical strength that enabled him to endure the most ardent and exhausting labors. The examination of his cases was close and critical. He firmly rested upon the result of his conclusions concerning them, and never willingly relinquished their advocacy until the final and authoritative judgments of the court were pronounced upon them. He also brought to them a careful, independent, keen discrimination, a quick and ready use of his learning. Wit and humor, ridicule and invective, he employed as circumstances required.

He could on the most exciting occasion be calm and self-possessed, but it was the calmness of stern resolve, persistent and tenacious in its triumphs over passion and irritability. His first law partner after coming to Albany was, we believe, Mr. Hugh W. McClellan. He was for a time a partner with Edward Newcomb, Esq. In 1864 the famous firm of Smith, Bancroft & Moak was formed, which existed until the time of Mr. Bancroft's death, early in 1880. After the death of Mr. Bancroft, the firm was known as Smith, Moak & Buchanan, Mr. B. having been previously made a member of the firm. Like most lawyers, he had ambition for political success, and he early gave his allegiance to the old historic Whig party, so grand, we had almost said "so sublime in the lustre of the great names that sustained it." The allegiance he gave it came warm from the depths of his heart. His first great political sorrow came to him while yet a youth with the defeat of his ideal of all that was illustrious in American statesmanship, Henry Clay.

In 1856, after the dismemberment of the Whig party by its divisions on the question of slavery, the Republican party came into existence, and Mr. Smith at once joined his political fortunes to it, giving it his influence and laboring diligently for its success, and he soon became one of its recognized leaders in the City and County of Albany.

Although in that exciting period of our history he entered ardently into the political arena, he did not forget that success in his profession was the paramount object of his life. Perhaps we may say that he only sought politics as a relaxation from his professional cares and labors, and thus he never permitted the lawyer to be lost in the politician.

In 1862 Mr. Smith received the nomination for Congress in the Fourteenth District. This, however, was merely complimentary, as the Democratic majority in the district was overwhelming. In 1865, and for several years previous, the Democrats had controlled the office of District Attorney in the County of Albany. In the fall of that year Mr. Smith was nominated for District Attorney by the Republicans, and after an unusually hot contest he was elected by a small majority. As has well been said, "The duties of this responsible office were discharged by Mr. Smith to the entire satisfaction of the community, and with much success. His administration was signalized by a notable increase in the number of convictions for grave crimes. Through his efforts a severe blow was dealt to the criminal classes, in high as well as low places. On the 31st of December, 1868, he was succeeded by that distinguished lawyer, Rufus W. Peckham, Jr. In the autumn of 1866, while discharging the duties of District Attorney, he was nominated by the Republicans of Albany for Member of Assembly. Though the Democratic majority in the county was very large, and the prospect of his election quite dubious, yet he was elected by the very flattering majority of 564 votes." This circumstance sufficiently attests the popularity of Mr. Smith. He took his seat in the Legislature January 1, 1867. The Republicans had a large majority in the House, and Edmund L. Pitts, of Orleans County, was elected Speaker. In recognition of Mr. Smith's abilities, he was placed second on the two most important standing committees of the House—the Ways and Means and the Judiciary Committees. To the duties of these committees Mr. Smith brought talents and acquirements that rendered him one of the most useful and successful members; but they also brought a vast amount of labor, research and patience. An examination of the various committee reports of which he was the author is the best evidence, perhaps, of the manner in which he discharged his legislative duties, and it cannot be denied that he stood foremost among the able orators who occupied seats in this Legislature.

In 1868 he was nominated for a member of the constitutional convention from Albany, but was defeated.

Such was the increase of his professional duties, that he was obliged to devote himself with unremitting zeal to his clients, and it is said that he

had decided in his own mind to abandon politics forever. But in the fall of 1871 he was persuaded to accept the nomination for member of Assembly from the Second Assembly District of Albany, and was elected by a highly respectable majority. The legislative session opened January 2, 1872. Mr. Smith was with great unanimity brought forward as a candidate for Speaker. In the Republican caucus, held January 8, he was nominated for this important office and the next day was elected.

Mr. Smith's address on taking the Speaker's chair was regarded as a model inaugural. It was liberal and statesman-like; with no pretensions to eloquence, it was the embodiment of eloquence; though condensed and brief, it was ample and explicit, and withal, it had in it much of that magical vivacity which enlivened all his public addresses and entered into his conversation.

"Every right-minded legislator," he said, "must be deeply and solemnly impressed with the awful responsibility which rests upon him here; and while it requires the exercise of the very best ability, it also requires that it should be exercised with purity, and with a sole desire to the public good; party considerations, political considerations, private considerations, every consideration must be made subservient to the common good of all, and I feel assured that we, as a body, realize these things, and that no man here will permit, in a direct or indirect manner, his judgment to be affected, or himself to be swayed in the slightest degree. To make laws is the highest and most responsible duty ever undertaken by man. We are called here as law-makers; let us see to it that we make such laws as shall tend to the protection and welfare of the people of this State."

In appointing standing committees he exhibited his high appreciation of worth and ability by appointing several of the most pronounced Democrats. As an instance, he appointed Mr. Jacobs, of Kings, on the Committee of Ways and Means, and he gave the Hon. David B. Hill, of Chemung, a place on the Judiciary Committee. Other leading Democrats were liberally remembered in making up committees.

We cannot follow Mr. Smith's career as Speaker through this remarkably important legislative session. Suffice it to say, it was characterized by a high degree of ability, and in all its details he exhibited the qualities of an accomplished parliamentarian. The session closed May 14, 1872, and with it the public political career of Mr. Smith. Having thus briefly described Mr. Smith as a legislator, we shall now trace a little farther his career at the bar in his maturer years, as we have already described him as a young lawyer. In the contests of the bar he was frequently defeated; but he never lost a cause by inattention or neglect. Charles O'Connor once remarked that "the lawyer who won one-half the causes committed to him must be regarded as eminently successful." Judging Mr. Smith by this standard, we must say that he has been, and is, eminently successful. He never lost a cause by inattention, neglect, or from the want of a full understanding of the law and facts of the case. One strong characteristic was his lucid, concise and suggestive manner of stating facts to the jury. This, in opening a case, is essentially effective. According to Lord Erskine's view, a cause skillfully opened to a jury is already half tried. Perhaps the greatest strength of Mr. Smith at *nisi prius* was his manner of examining

and cross-examining witnesses, especially the manner in which he conducted the latter. Whatever power and effect there may be in a skillful and eloquent address to the jury—and there is much—still it must yield to the effect of an ingenious cross-examination. It is one of the most difficult and important duties which an advocate can perform; it requires a knowledge of human nature, quick sensibilities in discerning the characteristics of a witness, and a subtle discrimination in detecting his peculiarities. When not founded on materials of contradiction, to obtain some information which the witness would be willing to give, it proceeds on the assumption that the party interrogated has sworn an untruth, which he may be compelled or induced to vary. But it is often the means by which good and trustworthy evidence is mischievously weakened or destroyed. In this branch of practice Mr. Smith was eminently effective, possessing the power of reading the thoughts of a witness, of anticipating his answers, of ascertaining his peculiarities, his subterfuges, and finally of drawing forth from unwilling witnesses facts which they struggled hard to conceal. His cross examination, like James T. Brady's, had the talismanic power of bringing truth out of falsehood, and of often showing dishonest suitors and witnesses the force of the Bible adage, "Be ye sure that your sins will find you out."

Mr. Smith once remarked that he seldom, if ever, failed to detect perjury in a witness, by his or her manner, while testifying. "To the keen, watchful and practical observer," he said, "there is always something in the glance of the eye, something in the manner and the speaking of false witnesses, that betrays them."

We have already alluded to his remarkable memory. He forgot nothing. Every fact, every rule, every principle, once attained, remained with him forever. This was another invaluable faculty to him as a lawyer.

In conducting a purely legal argument, or in conducting an argument founded on facts alone, he proved himself a strong legal logician, with flexible powers of illustration and condensation, demonstrating, in many respects, Cicero's views, "the eloquent lawyer who speaks with sense and candor, in the forum and in civil causes, in such a manner as to prove, to delight and to persuade." Mr. Smith's knowledge of the law was founded on a close and critical study of the books. This is evidenced by his well-considered, well-reasoned and learned legal arguments at the bar, which may be regarded as able contributions to the learning of the profession.

Among the many important civil cases conducted by Mr. Smith was that of the *Wallon Dwight's Executors* against the *Germania Life Insurance Company*, tried at the Chenango Circuit in the fall of 1883. The details of this great insurance case are so familiar to the public that it needs no description here. Suffice it to say, that it is by far the most important and interesting case growing out of policies of insurance ever tried in the United States. Mr. Smith appeared for the plaintiff; he

opened the case to the jury on the 12th of November, 1883, and began his summing up to them on the 10th of December following. A close inspection of these efforts of Mr. Smith's, as published, is indubitable evidence, not only of scholarly and legal lore, but of the highest merits of legal oratory. The part he took in this trial was a task for which his mind was peculiarly fitted. His keen sagacity and thorough knowledge of the human heart, and his peculiar force of expression and power of analysis, had the widest scope for their exercise, and he used them with a power of reasoning which the final result of the great case fully demonstrated.

In the great case of the *People agt. Cole*, for killing Hiscock, a member of the constitutional convention, Mr. Smith was associated with the Hon. Lyman Tremain and Hon. Amasa J. Parker. This was a case that called into action all the sympathies of Mr. Smith's nature, and all his talents, and in a manner which aided largely in conducting the case to a successful issue for his client. He was one of the leading counsel in the famous Susquehanna R. R. litigation, and distinguished himself in the uncommon ability which he displayed. It would require volumes to give any adequate description of the numberless trials in which he was engaged through his long and conspicuous professional career. The history of those cases is interspersed through the history of the Federal courts.

We do not insist that Mr. Smith was a perfect or unrivaled lawyer, or that he was not in any respect open to criticism, for there are few who are not; but with every liberal deduction for his faults which truth demands, we are sure that an appeal to the candor of those who have long watched his career at the Bar will decide that he made for himself a name and record which we have not exaggerated, and which is destined to live and shine in legal history.

Mr. Smith was a man of extended learning, general as well as professional, possessing a finely cultivated literary taste and an acquaintance with the best authors, ancient and modern, and he wielded a pen of classic elegance and power.

Genial in his temperament, possessing a fund of agreeable anecdote and a happy manner of relating them, he was attractive and interesting in his social relations and surrounded himself with many friends.

He continued devotedly attached to his profession, as a member of the distinguished law firm, Smith, Moak & Buchanan, until his relations with them were severed suddenly by his death, which took place December 1, 1884.

#### LE GRAND BANCROFT.

Mr. BANCROFT was a man whose life and career as a lawyer, a citizen, a husband and father is surrounded by pleasing memories and associations.

Through the long period of forty years he was a resident of Albany, and held by its citizens in the highest respect and esteem. He possessed charac-





teristics that naturally inspired and retained these sentiments. He had those qualities of thought, of feeling, of judgment; that refined delicacy and sensibility, that devotion to truth and honor, which goes beyond respect and esteem, and inspires admiration. As a lawyer, his talents, his industry, erudition and honorable devotion to his clients naturally gave him a high place in the profession.

His benignity, equability and remarkable candor enabled him to pass through the collisions and turmoil of his profession without making an enemy. A distinguished jurist of Albany said at the time of his death: "I believe I can say of Le Grand Bancroft that he died without an enemy;" so it is quite impossible for his biographer to give any just description of his life and character, without using the language of eulogy.

Mr. Bancroft was born at Elmira, N. Y., May 4, 1818. He was a son of Dr. Rulandus Bancroft, one of the most distinguished physicians and surgeons in the southern tier counties.

He received an excellent rudimentary education, and, at the age of fifteen, became a pupil of Hon. A. S. Thurston, a prominent lawyer and highly cultured scholar of Elmira. With Judge Thurston, young Bancroft continued the study of Latin and other classical studies, which he began in his primary course. Judge Thurston was at this time a highly popular classical teacher of Elmira, with an extended pupilage. The young man soon commended himself to his instructor by his generous and noble qualities of mind, his intelligence, and more than all by the devotion and progress he made in his studies—a characteristic always attractive to conscientious teachers.

Our duties in describing the early character of Mr. Bancroft cannot be discharged more profitably than by using the language of a beautiful letter from Judge Thurston to Miss Jean T. Bancroft, a daughter of the subject of this sketch.

"I can seem to see him now," says the letter, "resting his head upon his two hands, poring over his books, scarce lifting his eyes from them from morning till night; and then, his demeanor, so gentle, so respectful, so polite, attached me to him as I was never attached to any other scholar.

"After I commenced the practice of law in Elmira, and I think it must have been in the year 1837, your father entered my office as a student, and here he was just as studious and indefatigable as he had been as a pupil at school. His tastes seemed to incline him more to that part of the profession relating to Land Titles and Real Estate generally than in any other department. In his habits he was rather retiring, and the 'rough and tumble' of the forum and the practice before the country Justices of the Peace were altogether distasteful to him.

"I don't know what year it was—as my register has been destroyed—that he left my office; it was, probably, about the year 1839 or '40. But I remember well that, when he did go out from me, I gave him an open letter, in which I stated, as near as I could, what kind of a young man he was.

"His father, not being in a situation to pay out money, and your father, fully appreciating the situation, was determined to carve out his own fortune. With my letter in his hand—perhaps with other letters—he made his way to Albany, and, knowing no person in the city, he formed the acquaintance of the late Teunis Van Vechten, with whom he made an arrangement to enter his office and complete his legal studies. What year he was admitted to the Bar, I am unable to state. \* \* \* \*

"Of your father's subsequent career as a practitioner at the Albany Bar, there are those who can better speak of it than I can. I can only say that, during all the years he lived in Albany, I never failed, but always made it my first business, when visiting that city, to call upon him; he was so reliable, so unselfish and generous, I could not but always love and admire him. What Marc Antony said of Julius Caesar cannot be too truly and emphatically said of your father:

"This was the noblest Roman of them all. His life was gentle, and the elements so mixed in him that Nature might stand up and say to all the world, 'This was a man.'"

Such is the tribute paid to Mr. Bancroft by one who knew him from early boyhood, through his student days, and through his long and honorable career at the Bar. It is a testimonial as eloquent as it is just and true that radiates his whole life. It is very rare indeed that such tributes are paid to public and professional men. Certain periods of their lives are often made the subjects of eulogy, but this one, as we have said, covers a whole life, in which no part is omitted.

As we have seen by Judge Thurston's letter, when Mr. Bancroft came to Albany he entered the office of Teunis Van Vechten, then in partnership with John Davis, Esq. Mr. Bancroft had become so proficient in the learning of his profession that, on the death of Mr. Van Vechten, he entered into partnership with Mr. Davis, under the firm name of Davis & Bancroft; this was a profitable business arrangement, and existed several years. It was while a student in the office of Davis & Van Vechten that Mr. Bancroft was called to the Bar. On June 17, 1845, Mr. Bancroft was united by marriage to Miss Emeline Randall, of Albany, N. Y., a lady of many accomplishments and many mental and personal attractions. This union was an exceedingly happy and fortunate one. Mrs. Bancroft survives her husband, enjoying the esteem and affectionate regard of all who know her.

At the dissolution of the firm of Davis & Bancroft, the latter formed a copartnership with S. O. Shepard, Esq., which continued until the breaking out of the late Civil War.

Mr. Bancroft for some time had entertained the thought of devoting the remainder of his life to agricultural pursuits; accordingly, on dissolving with Mr. Shepard, he retired to his farm at Elmira, N. Y., the home of his youth. Three years' experience in conducting his farm convinced him that he was not exactly constituted for a farmer; at any rate, his love for his profession and his professional associates at Albany was so strong and

increasing that it overcame whatever attractions there were for him in a farm life, and he returned to Albany, entering again into the active duties of his profession.

In 1864 he became a partner of those truly prominent lawyers, Hon. Henry Smith and N. C. Moak, under the firm name of Smith, Bancroft & Moak. This connection, we believe, existed down to the time of Mr. Bancroft's death, with the change made by the admission of Mr. Charles J. Buchanan to the firm. As we have seen, Mr. Bancroft's tastes led him to that most intricate and subtle department of legal learning connected with Real Property.

Few persons studied the law of Real Property more assiduously than Mr. Bancroft. Beginning with Littleton's *Treatise upon Tenures*, published more than four hundred years ago, he made himself familiar with the successive writers who have discussed that subject in all its bearings down to the present time. Few persons were better acquainted with the changes made in the Laws of Real Estate by the Revised Statutes, and with the Amending Statutes which have followed them, than he. He was, therefore, considered high authority in all law touching Real Property, and his knowledge of the land titles, not only in the City but County of Albany, was unsurpassed.

In social life Mr. Bancroft was a favorite. To use the language of the *Albany Law Journal*: "He had ready wit, excellent judgment and a keen appreciation of the ridiculous. Grave indeed must have been the affair out of which he could not extract either pleasantry or consolation. His knowledge of human nature was such, and his tact and patience so great, that, however complex the matter intrusted to his charge might be, or how bitter

the respective litigants to the actions were, he almost invariably succeeded in disentangling the knotty questions involved in the controversy, and in bringing about a better feeling to the suit. His family relations were without reproach. He was a devoted husband, a kind and affectionate father. He will ever be remembered by all who knew him for his sterling manhood, his fidelity to his clients, his friendship for all, and his engaging manners.

"One of the most attractive features of Mr. Bancroft was his sincere, unobtrusive piety; piety which exhibited itself in every phase of his life, not by presuming demonstrations, not by words, but by corresponding actions. Such was his charitable piety that to him could have been addressed the language of the Saviour: 'As ye did it unto the least of these, ye did it unto me.'

"At an early age, he received the rites of baptism from that distinguished and venerated divine, Dr. Welch, of Albany, and became a member of the Pearl Street Baptist Church, and afterward of Emanuel Baptist Church.

"Through all his years, till the close of his life, he adorned his religious professions as an humble and useful follower of his master.

"Our profession can ill afford to lose such members."

Mr. Bancroft died at his residence, No. 46 Lancaster street, Albany, on the evening of January 20, 1880, at the age of 62 years. His disease was paralysis of the heart.

His departure was a shock to the city, particularly to his brethren of the Bar. He died in the midst of his usefulness, of his fame, surrounded by all that makes life sweet and happy.



His admission to the Bar took place in 1847, and in the following August he entered into partnership with his cousin, Stephen Paddock, Jr., a highly respectable lawyer of Albany, under the firm name of *S. & W. S. Paddock*. This was a fortunate business arrangement for both partners, and existed ten years, when the senior partner, Stephen Paddock, retired, and Mr. W. S. Paddock formed a copartnership with Hon. John M. Bailey, which continued until Mr. Bailey was elected District Attorney. Mr. Paddock then entered into partnership with Hon. John C. Nott, at this writing the County Judge of Albany County. He continued with Judge Nott until the election of the latter to the office of Police Justice, when the firm was dissolved. His next professional connection was with Messrs. Draper & Chester, under the firm name of *Paddock, Draper & Chester*. This relation continued until July 1, 1882, when it was dissolved. All of Mr. Paddock's legal partners were gentlemen of high legal standing and accomplishments; they were profitable and honorable relations, each partner holding the other in the highest respect and esteem.

The abilities and high character of Mr. Paddock as a lawyer summoned him to judicial duties. In 1856 he was elected to the ancient and honorable office of Recorder of the City of Albany. When he entered upon his first administration, the exciting Mayoralty controversy between Hon. Eli Perry and Dr. John P. Quackenbush was at its height. Each of these gentlemen claimed to have been elected Mayor of the city. The singular turn which this contest took added, as we shall see, largely to the responsibilities of Recorder Paddock, and it also greatly increased his reputation. "Each of the contestants maintained his right to act as Mayor, and both appeared at the meetings of the Common Council as its presiding officer. The matter was taken to the courts, under a compromise by which Recorder Paddock was to act as Mayor pending the litigation. The case was never brought to trial, and the City of Albany enjoyed a season of prosperity and success under the administration of William S. Paddock, acting in the dual capacity of Mayor and Recorder." To say that his administration in both positions was successful, is but to repeat well-known facts of history; but he received only the salary of Recorder, while Messrs. Perry and Quackenbush each received the full salary of Mayor. He was three times elected Recorder, the first time, as we have seen, in 1856, and the last time in 1876. During this long term of judicial service he won the confidence and esteem of the members of the Bar

and of the general public to a degree almost unprecedented. He was one of those men who made his way so quietly through the paths of usefulness to public honors that the voice of envy and jealousy was never raised against him, and never questioned his integrity or doubted his ability.

To use the language of the *Albany Evening Journal*: "Mr. Paddock was known to the profession as a very careful lawyer, his fealty on the side of the right being paramount to all other considerations. Never, in the whole course of his life, was he known to do a wrongful act intentionally. If he believed his convictions were right, he would adhere to them, come what might."

Again, as was said of him by another: "He was a polished gentleman, loved by those who had the pleasure of being admitted to the list of his intimate friends. As a magistrate, if the occasion demanded, he was stern and uncompromising, but always courteous and accessible. He was always liberal, his purse always open to deserving want, and his sympathies as deep as his charities were wide. Mr. Paddock early in life associated himself with the Democratic party, and was to the day of his death a faithful and consistent member of that organization, and one of its acknowledged leaders.

"He was a member of Master's Lodge, No. 5, F. and A. M.; Temple Chapter, No. 5, R. A. M.; Temple Commandery, No. 2, K. T., and of the Masonic Relief Association."

Recorder Paddock's domestic relations were exceedingly happy. On May 20, 1851, he married Miss Magdalene, daughter of Gerrit and Cornelia Hotaling, of Albany; five sons and one daughter were born to this marriage, all of whom survive him but one son. They are Howard, William G., Edward, George and Carrie Paddock.

Such was the life and career of William S. Paddock, a man of large influence and usefulness in his profession, in his official capacity and as a private citizen. It is hardly necessary for us to say that the death of such a man, genial and generous, should produce profound sensation and sorrow in the city where he had long occupied so conspicuous a position. Up to 1880 he enjoyed the most robust health. In May of that year he had an apoplectic attack, which left the base of his brain affected; he, however, recovered, so he was able, to an extent, to conduct his business. In the summer of 1882 he was again prostrated with the same disease; at length, about the last of December, the last and fatal attack came. He lingered until the 19th of January, 1883, when he died.



gate. It requires a peculiar cast of mind and much depth of learning to successfully discharge the duties of the office.

We can say without affectation that Mr. McKown brought to the office abilities, learning and industry of a high order, which rendered his administration successful, and he retired from the office with the good wishes and good opinion of the Bar and the public.

In his practice he has had no specialty, but has conducted a general legal business with success, and has always surrounded himself with a respectable and profitable clientage.

His long identification with the Albany Bar, his high and upright character, his honorable course as a practitioner, has given him an eminent place in his profession.

Mr. McKown belongs to the Republican party. He espoused the tenets of that party under the firm belief that they are the safest and best for the State and nation. Though he is decided in his political opinions, he is in no sense aggressively so. He is not, and never has been, a seeker after office or place.

In his religious proclivities he favors the Baptist Church.

In 1837 he was united by marriage to Miss Alida Van Valkenburgh.

In his official career Mr. McKown, as we have seen, commanded the respect of the people of Albany County. As a lawyer and citizen, and in all relations of private life, he has always had in a large degree the confidence and esteem of the public; and, finally, few, if any, are more entitled to honorable mention in the history of Albany County than James A. McKown.

#### MAJOR-GEN. JOHN TAYLER COOPER.

Major-Gen. JOHN TAYLER COOPER was born in Albany, in April, 1798, and died August 13, 1878, in his eighty-first year. His father was Dr. Charles D. Cooper, who, in his time, was one of the most distinguished of Albany's physicians. His mother was the niece and adopted daughter of the wife of Gov. John Tayler, who was Lieutenant-Governor of the State of New York from 1813 to 1822, and Acting-Governor part of the time. His brother, Charles D. Cooper, became a noted Episcopal clergyman of Philadelphia, and survived him. He had two sisters, one of whom, Elizabeth, married Benjamin Nott, and became the mother of Hon. John C. Nott, of Albany, and the other, Margaret, married Joel B. Nott. Benjamin and Joel B. Nott were sons of Dr. E. Nott, president of Union College.

Gen. Cooper attended the best schools of Albany, and subsequently entered Union College, where he graduated, after four years' study, in 1818. Afterward he entered the law office of Messrs. John V. Henry and James McKown, and studied for the Bar, being admitted to practice in 1821. Forming a copartnership with Simeon DeWitt Bloodgood, who was at one time editor of the *Advertiser*, printed by Webster on the old Elm Tree corner, he

practiced his profession until Mr. Bloodgood's removal to New York, when he retired permanently from legal life. He had inherited a fine fortune indirectly from Gov. John Tayler, and was not, therefore, dependent upon his own exertions for a livelihood; but his years were not to be passed idly, for the care of his property and his devotion to matters of interest to him kept him fully occupied almost to the day of his death.

His youth had compassed the period of the second war with Great Britain, and the exciting scenes of his boyhood imbued him with a martial spirit, and he manifested an active interest in military affairs. Shortly after graduating from college he entered Col. Knickerbocker's regiment as adjutant, and was active in promoting its efficiency. He was successively promoted to be major and lieutenant-colonel, and finally succeeded to the command of the regiment. When the Marquis de La Fayette visited America in 1824, Col. Cooper was dispatched by the Common Council of the City of Albany to meet the great champion of Liberty at Kinderhook and escort him to Albany, where high honors were paid him. On his leaving, Col. Cooper was in command of the escort which accompanied the distinguished visitor as far as New Lebanon. Afterward he was promoted to the major-generalship of the Third Division, New York State Militia, a position which he held for many years, until he was retired at the commencement of Gov. Fenton's term of office, a law being enacted in that year which abolished all of the old militia offices and established the National Guard of the State of New York. Published accounts of the obsequies of Gov. Marcy in 1857 show that Gen. Cooper took a prominent part in the funeral arrangements and ceremonies. He is remembered as a firm and helpful friend of the Albany Burgesses' Corps, of which he was a life member.

Gen. Cooper was twice married. His first wife, whom he married in 1822, was Miss Charlotte Henry, daughter of John V. Henry, the eminent attorney in whose office he studied law. She died childless, and some years later Gen. Cooper married the widow of Clarkson F. Crosby, of Watervliet, whose maiden name was Schuyler, and who was descended from the famous family of that name who bore so conspicuous a part in the early history, not alone of New York, but of our country. There was no issue by this marriage. His stepson, J. Schuyler Crosby, married Harriet Van Rensselaer, youngest daughter of Stephen Van Rensselaer, of Albany, and became Governor of Montana Territory and subsequently Assistant Postmaster-General of the United States; and of his two stepdaughters, the elder married William L. Thompson, son of John C. Thompson, of Troy, and the younger, in 1878, became the wife of Rev. Thaddeus A. Snivley. Rev. Howard Crosby, D.D., of New York, is their father's brother.

The freedom from business cares, which was such a marked feature of Gen. Cooper's life, permitted him several times to visit Europe and to travel quite extensively in the most interesting por-







single office, formed no other partnership, but almost at once entered upon his successful career as a lawyer and author. His clients were among the most respectable merchants of the city, and he retained their business year after year.

His duties and labors were of such a nature that they afforded him much time for the hearing of references, and during the twenty years preceding his death he undoubtedly heard and decided more important cases than any other lawyer in this section of the country. His mind was eminently judicial and adapted to the hearing of long and intricate cases, and so well balanced that, in the weighing of evidence, he had no superiors. However much any party or attorney may have been disappointed by his adverse decision, no one ever charged him with being influenced by fear, favor or friendship. Absolute justice was his sole aim and endeavor. In 1855 appeared Mr. Edwards' work on "Bailments." It was welcomed by the Bench and Bar as the best American work on the subject, and it has been growing in favor with the legal fraternity since. In 1878 the work was revised, portions of it were rewritten, later decisions were cited, and new chapters were added. Since the publication of the first edition, commercial transactions have been widely extended, business has been enlarged, and many new and perplexing questions have come before our numerous courts for discussion and adjudication. The most marked developments have reference to pledges, or collateral securities, transportation and telegraphic messages. Upon these subjects the second edition is full and explicit, and demonstrates that in this branch of the law Mr. Edwards was thoroughly informed as to the decisions of the courts. In 1857, two years after "Bailments," appeared his work on "Bills and Notes," a treatise complete in itself, and surpassing that of every other author who had written upon the same subject in the English language. A second edition was published in 1863. Both of these valuable works are intended for the practitioner as well as for the student. To be appreciated they must be read and utilized by the practical lawyer. In 1870 he published an essay upon "Factors and Brokers." In this he exhibits the same fullness and clearness of definition which characterize his larger works. Mr. Edwards wrote and published several essays and biographical sketches of different members of the Bench and Bar, all of which demonstrates the clearness of his mind, his just appreciation of the merits of others, and his happy faculty of presenting his views in an interesting and instructive manner. He thoroughly understood the law, and he loved to elucidate its principles. His estimate of justice and the law to establish and enforce it can be best expressed in his own words:

"Justice being the supreme interest of mankind, the law established to enforce it is a most worthy object of labor and study. Aside from its value as the measure and conservator of our rights, the law is one of the noblest of the applied sciences. It is beneficent in its purpose; it aims to secure equality between men in their dealings with each other.

It lies at the foundation of our system of governments; it is both a source and a principle of authority in our halls of legislation and in our tribunals of justice. It underlies our institutions and conserves them. It reaches the individual reason and covers with its protecting power social interest and every relation of life. It is the conscience of the state, everywhere present in the manifold activities of her citizens."

Many years of his later life were passed in inculcating principles like the above on the mind of youth. Years ago the question of the improvement of the public schools of Albany was agitated, and Mr. Edwards took a prominent position in favor of advanced education. His relations to Mr. Carlton Edwards, one of the editors of the *Morning Express*, were such that the columns of that paper were freely offered for his use, and from time to time appeared powerful and pungent articles from his pen. Many of these articles were published under Mr. Edwards' care and scattered broadcast over the city, and aided much in producing in the minds of its citizens a desire for the improvement which has been wrought in its public schools. Shortly before the death of Prof. Amos Dean, Mr. Edwards was invited to deliver a few lectures before the Albany Law School. His clearness of diction, his fullness of illustration and his correctness of definition proved his fitness to fill the position of so distinguished a lecturer as Prof. Dean, and upon the death of the latter he was unanimously elected to the vacant professorship, and from that time until his death he was the moving spirit and power of the Law School, delivering about one-half the lectures, and presiding at nearly all the courts of exemplification and instruction. The position of the Albany Law School may be attributed more to the standing and reputation of Mr. Edwards, as professor and author, than to any other of its instructors. His duties were laborious and exacting, and it is no discredit to the late Prof. Dean to say that he brought to the school knowledge and capability equal to those of his predecessor; and the classes graduated under him are witnesses to the excellence both of the matter and the manner of his instructions. Four years before his death he was chosen a member of the Board of Public Instruction. As chairman of the Law Committee his reports on subjects referred to that committee were always clear, strong and convincing. His great interest in popular education made the work connected with this trust a veritable labor of love.

As a politician Mr. Edwards was not a partisan, although in his early life a Whig and afterward a staunch Republican. As a speaker he was clear, logical and forcible, using nice distinctions and strong illustrations; and his early success before juries and in several political campaigns gave assurance that, had he turned his attention more directly to other branches of his profession, he would have taken high rank as an advocate.

Mr. Edwards was an earnest and devoted Christian. He early united with the Second Presbyterian Church. When the movement was made to

organize a Congregational Church he was one of the first to give support to the enterprise, and as one of the committee chosen to prepare its articles of faith and mode of government, he did much toward shaping and guiding the measures which have given the organization such prominence in the city.

He was a conscientious member of his profession, a clear and careful author, a loving and beloved instructor, the eminently true and social friend and the good citizen, bearing with fidelity no small share of the public burdens.

His works will be perused by eager students when most of his contemporaries are forgotten. His influence as a professor and teacher, although wide and extended, will become wider as the years

go by. While we speak of him as a lawyer, teacher and author, we will not forget his higher virtues as a man. So far as is the lot of mortals, his was a spotless character. Although competent to fill the highest places, he sought the humblest stations. With learning to which we all who knew him bowed with respect, he walked humbly before God and man. Beyond the members of his family circle and intimate friends, he will be remembered by the Bar, among whom his daily life was passed, by clients who depended upon his counsel, by his pupils who treasured his lectures and advice, by good citizens who were charmed by the graces of his private life, and by the wide circle of the public, who will long remember his instruction and treasure his counsel.

## MEDICINE IN ALBANY COUNTY.

By FREDERIC C. CURTIS, M. D.

WHEN Henry Hudson came up the Grande River in the first decade of the seventeenth century, and on a lovely September afternoon, when the hills were clothed in autumn red, dropped anchor off the point where Albany now stands, there is no doubt that he would have found on inquiry that the dusky aborigines interestedly watching his movements from the shore were not unfamiliar with the medicine man. In one fashion or another medicine has been practiced in all ages. It is not the purpose of this narrative to trace the medical affairs of this locality back among the Mohawks and Mohegans; to commence the history of them, even during the century which followed the building of Fort Orange, a limited array of facts are found. In the voluminous records of our early history scant reference is made to the medical events which formed a part of it. To construct in any detail a sketch of them would require a fund of as yet unpublished traditions of an unbroken line of Dutchmen, all to the manor born, or a draft on the imagination unworthy of the truthful chronicler.

It is not remarkable that this should be so, for in a community intently occupied in obtaining the necessities of life, subduing forests, planting settlements, and meeting the dangers that surrounded it from unfriendly natives, contentious governments, and a rigorous climate, there was little time to think of more domestic matters, and few, especially among these Dutch Colonies, where commercial tastes ruled, and learning was backward, to make note of them. The healthy, laborious people

who came to these shores required few physicians, and they and their surroundings presented few attractions to Old World practitioners. Still they were not unmindful of their need of the medical man, and there were those among them who in some sort practiced the art or the domestic traditions of medicine.

During the early years of all the American Colonies there were many who were looked to for advice in sickness who possessed but the simplest knowledge of medicine. The literature of the profession was not so voluminous but that any educated man might make himself familiar with the theories and practices of the times. Schoolmasters, clergymen and government officials were frequently somewhat versed in medicine; the clergy especially gave attention to the subject, as missionaries of the present day often do, by study prior to leaving the Old World. This was more frequently the case in the New England Colonies, but was also true here. Among the Dutch dominions, Rev. Dr. Megapolensis is said to have made some pretense to a knowledge of medicine. He might better have stuck to preaching, however, if his practice was of a piece with the advice he gives, in writing on the medical usages among the Mohawk Indians, and which the good vrouws to whom it was addressed very sensibly repudiated. Another of the medico-clerics was Dominie Mancius, who educated his son in medicine so that he was for a lifetime one of the prominent physicians of Albany. It is worth mentioning in this connec-

tion that, nearly two hundred years later, George Upfold, a young physician here, studied theology, and eventually became Bishop of Indiana. The Indians had learned the medical value of some indigenous herbs, and the Indian medicine man may be mentioned as one of the accessories of early colonial practice. He sometimes won a wide reputation. The story of the High Rock Spring, first disclosed to white men by the wonderful result upon Sir William Johnson, who was carried to it by the Indians, is familiar to all. Their theories, so far as they had any, were essentially supernatural, as is at the present time commonly the case among barbarous and ignorant people.

The Dutch West India Company are said to have been exceptional in their care for the health of their sailors, all their vessels being provided with a surgeon, or some one having a familiarity with medicine. They extended the same consideration to their colonies. Reference to it repeatedly recurs in their regulations, one of which is as follows: "The patroons and colonists shall, in particular and in the speediest manner, endeavor to find ways and means whereby they may support a minister and a schoolmaster, that the service of God and the zeal for religion may not grow cold and be neglected among them, and that they do for the first procure a *comforter of the sick*." This functionary, variously termed in the original *kranch-besoecker* or *zieckentrooster*, is the first recognized person charged with the care of the sick in the Dutch Colonies. He was probably of an inferior order of clergy, for he is mentioned as conducting the religious service on Sundays. But he is also often found serving in other capacities and holding civil office, in which, however, he was not peculiar, for the duties of the preacher, doctor, soldier and government official were frequently performed by one individual in primitive times.

The first comforter of the sick at Fort Orange was Sebastian Jansen Crol. His earliest appearance in the history of the New Netherlands, in which he played a considerable part, was in this capacity at Fort Amsterdam. He came to this colony in 1626, two years after it was established, having been appointed Vice-Director and Company's Commissary to Fort Orange. It is a matter of justifiable inference that he continued his medico-clerical duties here, in addition to those of the office to which he was appointed. He appears to have been a judicious man, and served the colony well in his various capacities for twenty years.

He was succeeded in official position, in 1646, by Harmanus Myndertse van der Bogart. It is

only in this official capacity that Van der Bogart is spoken of, but there appears no doubt that he is identical with the ship surgeon of the same name who came to New Amsterdam in 1630 in the *Eendracht*. His term of service here was short, for he is said to have been burned to death in 1648 in an Indian wigwam on the Mohawk River.

To another than Surgeon Van der Bogart, however, belongs the honor of having been the first regular physician who came to this locality. In 1642 the number of the colonists had become sufficiently large for the Patroon to comply with the West India Company's requirements to provide them with the services of a clergyman. He accordingly fitted out a ship, which arrived here in August of that year, bringing Rev. Dr. Megapolensis, and in his most worthy company Surgeon Abraham Staats. Whether he was employed, as was the minister, to serve the colony in his professional capacity, is not recorded. Nor are we told what were his professional attainments. His *clientele* at first was not large, for Albany consisted at this time of a hamlet of twenty-five or thirty houses, built along the river as each found it convenient, in proximity to the wretched little log fort, the population being about one hundred. A burial ground had been found necessary, however, and was laid out on our present Church street. Whatever his skill may have been, oversight of which by the diarist of the day is not to be wondered at, Dr. Staats was an enterprising citizen and filled his abundant professional leisure with other work. He was the first presiding officer of the village council of Rensselaerwyck, and once assisted in making an important treaty with the Indians. On week days he was a captain, and on Sunday an elder. We are left to our unassisted inferences as to the perquisites of our primitive doctor, although the dominie's salary is matter of history. In 1642 his house, at Clavarack, was burned by the savages, who seem to have had a penchant for cremating doctors, and his wife, with others of his family, perished. He became the owner of Fort Orange, it is said, and the ground on which it stood has ever since remained in the possession of his descendants. A son studied medicine in Holland and rose to eminence in New York.

Johannes de la Montagne, a Huguenot gentleman, played a political part only in the history of Fort Orange. He came to New York in 1637, and was Vice-Director of Fort Orange from 1656 to 1664; he also held various other offices of trust in the colony. He is said to have been a skillful physician, but was not expert enough to distinguish between gold and pyrites in some war-paint of the

natives that was submitted to him for assay, and which excited much interest for a time. What is supposed to be the first enactment to regulate the practice of medicine at New Amsterdam was the following: "Ordered, that ship barbers shall not be allowed to dress wounds, nor administer any potion on shore, without the consent of the petitioners [the local surgeons], or at least of Dr. La Montagne."

Surgeon De Hinse, a Frenchman, was resident physician at the Fort in 1666. While he was here a body of French soldiers in pursuit of the Indians from Quebec found their way to Fort Albany, as it then chanced to be called, having been surrendered to the English two years before by La Montagne, and De Hinse is on record as having received official thanks for professional services to them. Surgeons on duty at the Fort served, at that time, at the pay of 2s. 6d. per diem.

In 1689 a Scotch physician, Lockhart by name, practiced in Albany, and was surgeon to the Fort. Albany was at this time a large stockaded village.

At a later date, a son of Dr. Megapolensis was a surgeon of this colony; but both he and his brother Samuel, both graduates of Leyden, spent most of their lives in New York.

It is probable that there were other practitioners of medicine during the first hundred years of our history; but these are all that appear, after considerable research, until we pass well on into the eighteenth century. The names of less than forty physicians are known as coming to the entire province of New York in the course of the seventeenth century, and of most of these but little more is known than their names. The various lineage of these here mentioned, coming as they probably did chiefly from Holland, shows how that country was then the asylum for people of all nationalities.

The prominent events of the eighteenth century around which to cluster matters of medical interest are the French War and the War of the Revolution, in both of which Albany was at times an important center. The medical science of a country is always advanced by wars; they demand skilled medical officers, and so encourage the progress of medicine. Besides, they furnish a school for practice and observation. The French War especially gave an impetus to the profession, then entirely dependent on Europe for its education. The native had no means of acquiring knowledge at home except in a sort of apprenticeship way. The English army was accompanied by a highly respectable medical staff, who contributed much to the

education of many young Americans through the military hospitals which were established.

Dr. Samuel Stringer, a native of Maryland, and educated in Virginia, where a medical school had just been started, was the most prominent physician in Albany during the eighteenth century, and was connected with both of the wars. In 1755 he was appointed by Gov. Shirley an officer in the medical department of the British army in this country. He accompanied Abercrombie, in 1758, and was present when Lord Howe fell in advancing to the siege of Ticonderoga. He served until the war ended, when he settled in Albany, married here, and remained here in practice until the outbreak of the Revolution, when he was appointed by Congress Director-General of Hospitals in the Northern Department. In this capacity he accompanied the troops on the invasion of Canada. He was a friend and probably the family physician of Gen. Schuyler, the ill-favor which befell whom, there seems reason to believe, he participated in. At any rate, he was removed from his position, an act which called forth a very angry remonstrance from the General to Congress. This was in 1777, and he then returned to Albany, where he spent the rest of a long life. It is said that he always adhered to the style of dress of the olden time—the cocked hat, tight breeches, and shoes with large buckles.

Dr. Nicholas Schuyler was another of the surgeons of this locality who was connected with the Federal army of the Revolution. He was an ardent patriot and an intelligent surgeon. After performing valuable service during the war he returned to Albany; he died in Troy in 1824.

Dr. J. Cochran, of Pennsylvania, served as surgeon in the Revolutionary army and was high in position. He became Surgeon-General of the Middle Department, and in 1781 was made Director-General of the Hospitals of the United States. After the war was over he settled in Albany.

At one time the brothers Moses and Elias Willard were physicians of Albany. They were natives of New England, and, with their father, had a hand in the bloody struggle at Lexington. Elias, before the war, had begun to study medicine, and after a brief service as a common soldier he entered a military hospital in Boston, which, under Dr. John Warren, brother of the hero of Bunker Hill, was made a training school for the much-needed medical men. Two years later he was appointed surgeon of a Maine regiment, and served till the close of the war. He came to Albany in 1801 and practiced here for twenty-five years. His brother

was younger and entered the service later; he resided here for several years.

Every one at all familiar with the medical men of Albany a hundred years ago knows the name of Hunloke Woodruff. He was a graduate of Princeton, and shortly before the commencement of hostilities between the colonies and the mother country had begun the study of medicine, had taken up his residence in Albany, but soon was appointed surgeon of one of the New York regiments, and served until peace was declared. He accompanied the northern army to Canada, and was with Col. Gansevoort during the siege of Fort Stanwix, and attended Gen. Sullivan in his expedition against the hostile Indians of Western New York. He settled here to practice after the war and spent the best of his life here, highly esteemed as a learned physician.

Several of these men, it is observed, were contributions of the army to Albany.

As an incident of the French War it is said, in the "Memoirs of an American Lady," that when the wounded troops poured into Albany from the Ticonderoga battle-field a hospital was established in a large barn belonging to Madame Schuyler, and was attended there by a band of ladies. Thacher, a considerable historian of medical events of that time and a surgeon of the Revolution attached to this northern division of the army, says that a hospital was erected here during the French War. He says of it, as he saw it in 1788: "It is situated on an eminence overlooking the city. It is two stories high, having a wing at each end and a piazza in front, above and below. It contains forty wards, capable of accommodating 500 patients, besides the rooms appropriated to the use of the surgeons and other officers." After Burgoyne's defeat at Saratoga, Albany was for several months filled with sick and wounded from the battle-field. There were not less than one thousand of these victims of war thrown into the city, filling the hospital, the Dutch Church and some private houses. Most of them remained till the following June, when the military hospital was removed to the Highlands of the Hudson. Dr. Thacher says: "We have thirty surgeons and mates, and all are constantly employed. The wounded of the British and Hessian troops are accommodated in the same hospital with our own and receive equal attention. The foreigners are under the care of their own surgeons. I have been present at several of their capital operations and remember that the English surgeons perform with skill and dexterity, but the Germans, with few exceptions, do no

credit to their profession." He did not find the inhabitants of the city of a social disposition. They are chiefly Low Dutch, he says, and not inclined to associate with strangers. Nevertheless, Mars and Venus have in all ages been mutually attractive, and "a charming Miss M. H." was captivated by one of the surgeons. A surgeon's pay in our army was \$33.33 a month, and of a mate or assistant surgeon \$18, that of a colonel being \$75. At a later date there was a military cantonment and hospital in Greenbush, which was maintained until 1822.

Medical history is not altogether biographical, and some notes may be made of other events of the earlier time before the present century began. Henry Hudson said, when he returned with the report of his discoveries: "It is as fair a land as can be trodden by the foot of man," and the graphic pen of Irving has been taxed to all its resources in delineating this lovely valley before it had been marred by the hand of civilization. It was not only fair, but by all testimony it was salubrious. As early as 1628 one writes in a letter home: "The climate is healthful, notwithstanding the sudden changes from heat to cold. Roots and herbs are found, good for eating and for medicinal uses, working wonderful cures too long to relate." The sudden and extreme variations in temperature appear to have been the principal complaint, and were certainly very marked to those who had been accustomed to the equable climate of Holland and England. Gov. Hunter wrote in 1710: "Here is the finest air to live upon in the universe." Many instances are related of cures of consumption among those coming to the new country. They were mainly due, no doubt, to the less sedentary life of necessity led here, and absence of the insanitary influences that accumulate with the passage of years of habitation.

In this province there were fewer serious epidemics than in the New England and Virginia Colonies, where they early prevailed extensively. Fevers of acclimation or of an indigenous source were rare. The colonists did not, however, escape some most severe and fatal epidemics of imported disease. Of these, small-pox made the most grievous ravages. In 1613 it broke out and spread with fearful rapidity, among Europeans and savages. Twelve of the slender population of Beverwyck died in one week and a thousand perished among the Iroquois tribes. For two months Connecticut maintained a quarantine against the New Netherlands. Another

equally severe epidemic broke out some years later. Prior to 1730 this outdid all other pestilences with its ravages, ceasing at one time, it is said, only for lack of material to work upon, every susceptible person having had it. Inoculation began to be practical about 1730, and became quite general, the mortality from it being reported as comparatively small. "In 1799," writes Dr. Thacher, "the glorious discovery of the vaccine disease, which renders the human system insusceptible to small-pox, was announced in our newspapers and in the *Medical Repository*, of New York," and the reign of what might well have been called the king of terrors came to an end.

In 1746 a malignant epidemic of what was called the Barbadoes distemper, and also various other names, reached Albany. It was imported from foreign ships, and, beginning in August, ended with frost. From the description it was clearly yellow fever. It carried off 45 victims, mostly robust men. Spotted fever is mentioned as occurring in 1752.

An interesting episode in connection with yellow fever, and a glimpse of affairs as they existed a century ago, is obtained from the following "Notes from the Newspapers," in Munsell's *Annals of Albany*:

"September 21, 1793.—The citizens were alarmed by a letter from Judge Lansing, informing them that a vessel had passed New York having two persons on board infected with yellow fever, which was then raging at Philadelphia. Meetings of the citizens and of the Common Council were held, and measures adopted to prevent the passing of any vessel above the Overslaugh without an examination, and the ferry-men were directed how to proceed on occasions when any suspicion attached to travelers presenting themselves to be ferried over. The Common Council recommended the observance of the first day of October as a day of fasting and prayer for the aversion of the dreaded contagion.

"September 23.—On Monday evening last arrived at Greenbush, opposite the city, from the seat of Government, Hon. Alexander Hamilton, Secretary of the Treasury of the United States, and his lady. As Col. Hamilton and lady were supposed to have been afflicted with the yellow fever, then prevalent at Philadelphia, the physicians of the city, by request, immediately visited them, and on their return published the following certificate: 'This is to certify that we have visited Col. Hamilton and his lady at Greenbush this evening and that they are apparently in perfect health, and from every circumstance we do not conceive there can

be the least danger of their conveying the infection of the pestilential fever, at present prevalent in Philadelphia, to any of their fellow citizens.

"(Signed) SAMUEL STRINGER,  
" "W. MANCIUS,  
" "H. WOODRUFF,  
" "W. MCCLELLAN,  
" "CORNELIUS ROOSA."

"In consequence of which on Tuesday morning an order was granted by the Mayor that Col. Hamilton and lady be allowed to cross the ferry, but only after quite a spicy correspondence between the Mayor, physicians and Gen. Schuyler, whose daughter was Mrs. Hamilton."

Aside from these outbreaks, Albany maintained its reputation for healthfulness throughout the eighteenth century. During the winter of 1785, it is said that but one burial took place for the space of three months, in the Dutch church-yard, and that was of a small child accidentally run over by a sleigh. This burial place has been recently brought to light again by excavations in State street, at the corner of Broadway, human bones being found, and bricks from the old church edifice. One writes of Albany in 1796: "It enjoys a salubrious air, as is evidenced by the longevity of its inhabitants."

Concerning the now very fertile theme of the water supply of the city, a visitor to Albany, in 1785, wrote that "the well water in the city is very bad, being scarcely drinkable by those not accustomed to it, imbibing particles from the stiff clay through which it oozes; indeed, all use the river water for cooking, and many families drink it. But water works are about to be constructed to bring good water to the city."

In the year 1800 Albany was already an old city. In some respects this was a turning point in its history. About this time it began to have additions to its population from New England and to become impressed with New England ideas. Previously it had been entirely Dutch; its people, its habits, its physiognomy, its architecture were all Dutch; it is said that even its horses and dogs were Dutch. It had many usages brought from the provincial towns of Holland. A graphic picture of it at that time may be found in *Random Recollections of Albany from 1800 to 1808*, by Gorham A. Worth. The placid Dutchman smoked his evening pipe on the settee of the stoop in front of his gable-ended house, undisturbed by a care for the outside world, perfectly content with himself and his surroundings, with no welcome for strangers and their innovations. In a population

of 5,000 there were not more than five New England families. The city had no pavements and no street lamps. It had little or no foreign commerce. It needed a new element to give it an impulse, without which the nineteenth century gave promise of leaving it in a Rip Van Winkle dream, or stranded where the eighteenth was hardly holding it afloat. A change, restless and iconoclastic, began to come over it about this time; the progressive spirit of this century began to disturb its quietude, and new blood was transfused into it. The Erie Canal began to be talked about; it became the capital city, and very soon after Fulton ran the *Clermont* up the river.

The general character of the medical profession began to improve. The means of education heretofore had been very limited, and the mass of practitioners throughout the country had been deplorably ignorant. In an address before the Regents, Dr. T. Romeyn Beck stated that, of the 700 physicians in the State at this time, not more than twenty held the degree of Doctor of Medicine. Indeed it was not sought for, save in the large cities. The education of physicians prior to 1750, unless obtained in Europe, was restricted to a sort of apprenticeship and personal instruction. In 1750 the first regular medical instruction was attempted, a course of lectures on anatomy being given in New York by a Dublin graduate, Samuel Clossy. During the remainder of the century four medical schools were established; in Philadelphia, New York, and at Harvard and Dartmouth Colleges. The difficulty of reaching these precluded most from attending them. Their influence was, however, being felt toward the close of the century.

Just what might have been considered a medical education at this time, even at its best, it would be hard to define. There was hardly any facility for acquiring a practical knowledge of anatomy by dissection, so that a student could have no adequate idea of the vital organs in health or as changed by the processes of disease. When Dr. March, twenty years latter, began to give instruction here in anatomy, by lectures and dissections, he for a long time encountered much opposition in his good work. Surgery was rude and simple, as viewed from the light of to-day. Diseases could not be distinguished by our present knowledge, as, for instance, that of auscultation and percussion of the chest, and all our instruments of research were unknown. Pharmacy was as rude as the means of diagnosis, but faith in it was vastly more profound than now. The physician became skillful and renowned, as many of them did, only

as he became shrewd in observation and experienced by years; gray hairs were the only passport to popular confidence. Oliver Wendell Holmes pictures him, from vivid recollections of his early life, as "he would look at the tongue, feel of the pulse, and shake from his vials a horrible mound of ipecac, or a revolting heap of rhubarb—good, stirring remedies that meant business, but left a flavor behind them that embitters the recollections of childhood." Little of our present knowledge of the control of epidemics was possessed; small-pox, often devastating as a tornado, was just then about to be robbed of its terrors, and the preventable diseases generally, to which so much attention is now given, and which if completely held in check would infinitely lessen the rate of mortality, were neither studied as a class nor controlled by organized boards of health. No better contrast can be shown between then and now than is seen in the statement that by data, gathered from all sources, it is found that the sum total of human life has been lengthened in civilized countries 25 per cent. since the beginning of the century. Dr. Holmes says: "It is but a fractional power that the physician has over disease, and a comparatively small fraction over the issues of life and death." But what he lacks in his control of the individual is well complemented by the general work, as is proven by this general result.

Besides the men already mentioned, there are a few others then practicing here who should be spoken of. The oldest physician in Albany was Dr. Wilhelmus Mancius, the son of the Dutch dominie, who practiced medicine as well as theology in the early history of the colony. He was now past sixty years of age, over six feet in height, and a man of great popularity. He received his education from his father, and probably had more skill than learning. In his arguments with his younger and more liberally educated partner, Dr. Woodruff, he saved himself from being worsted by "Ah, de cure, Hunloke; de cure is de great ting. I cure." Dr. William McClelland was a Scotchman, an Edinburgh graduate, and for the times an educated man. He was the first president both of the County and the State Medical Societies. His partner for a time was Dr. Wm. Bay, whose long life extended to the easy recollection of many of the present citizens of this vicinity. Dr. Knauff, then advanced in years, was more an apothecary than physician. Dr. Gauff, also an old man, had been for many years a practitioner of Bethlehem, and Dr. Oliver Lathrop was a physician of Watervliet, then in middle life. Younger than any of these was

Dr. Jonathan Eightys, a most exact and methodical man, who through the first half of this century was held in high esteem as a family physician, and made many contributions to medical literature. Dr. John Stearns, a Massachusetts man and a Yale graduate, then thirty years old, was for a number of years a practitioner here, and deserves especial honor from the profession, as to his efforts were due the existing law, enacted in 1806, under which our State and County medical societies have been incorporated.

The notable event in medicine at the beginning of this century was the establishment of the County Medical Society. This is undoubtedly the oldest medical society in the State, having been established in July, 1806, immediately after the passage of the incorporating law. The reason urged for the passage of this act was the abundance of charlatanry and the necessity for combining the legitimate members of the profession to control it. The universal testimony is that at this time the country was overrun with empyrics. Dr. R. M. Wyckoff, to whose paper on *Early Medicine in New York* I am indebted for much information, says that medical practice in early times was pure, but that about the middle of the eighteenth century the charlatanry of the Old World, which was quackish to the core, began to find a field in the New. For its own respectability and the people's good the time had come for the profession to assert itself; it did so by bringing the reputable physicians together and separating them from the disreputable. In this way the society has done more to suppress quackery (which the people should know is vastly more an evil to them than to the profession) than all the restrictive legislation that was enacted year after year for the next forty years. Dr. Thomas Hun wrote in 1844, what is always pertinent and true: "Quackery must be suppressed, not by legislation, but by enlightened public opinion of its dangers. The respectability of our profession is to be promoted, not by asking for legal privileges, but by an increase of individual zeal and co-operation." In this State no one is entitled to professional consideration unless he is a member of his County Medical Society.

From the beginning the society has maintained regular meetings for mutual improvement. It has always been a means of co-operating against local epidemics and bad sanitary conditions. Its opinion and advice has often been asked by the Mayor and Common Council. It has kept up the social relations of its members, and perpetuated their

memory by printed biographies and portraits, of which it has a considerable collection. It has explicit laws for disciplining unprofessional members, but has very seldom made use of them. It has been of a liberal spirit, and was one of the first societies to admit women to membership. The entire number of its members from first to last has been about 425. The following list includes all of the members of the Society since the organization, and nearly all the physicians of this county during the present century.

## CHRONOLOGICAL LIST

OF THE

MEDICAL SOCIETY OF THE COUNTY OF ALBANY FROM ITS ORGANIZATION, WITH YEAR OF ADMISSION AND PLACE OF GRADUATION. THE LIVING RESIDENT MEMBERS ARE INDICATED BY A \*.

1806, HUNLOKE WOODRUFF, New York City; died 1811, aged 56. WILLIAM MCCLELLAND, Edinburgh; died 1812, aged 43. CHARLES D. TOWNSEND, Columbia College, Medical Department, 1802; died 1847, aged 70. JOHN G. KNAUFF, probably in Germany; died 1810. ELIAS WILLARD, Boston; died 1827, aged 71. WILHELMUS MANCIUS, studied medicine with his father, Rev. G. W. Mancius, 1758; died 1808, aged 70. WILLIAM ANDERSON, University of Pennsylvania; died 1811, aged 40. JOSEPH W. HEGEMAN, Princeton; died 1837, aged 65. CORNELIUS VROOMAN, Jr., University of Pennsylvania; died 1811, aged 30. ALEXANDER G. FONDA, licensed 1806; died 1869, aged 84. CALEB GAUFF, Bethlehem. AUGUSTUS HARRIS, licensed by Supreme Court, 1800; died 1857, aged 81. AUGUSTUS F. R. TAYLOR, University of Pennsylvania, 1804; died 1841, aged 58.

1807, PETER WENDELL, University of Pennsylvania, 1807; died 1849, aged 64. JACOB L. VAN DEUSEN, Regent's degree, 1806; resigned 1825.

1808, ARCHIBALD H. ADAMS, University of Edinburgh; died 1811, aged 42. CHARLES D. COOPER, New York; died 1831, aged 63. ISAAC HYDE, probably licensed; died 1833, aged 61. JAMES LOW, University of Edinburgh, 1807; died 1822, aged 40.

1809, SIMON VEEDER, licentiate of this society, 1807; died 1860, aged 72.

1810, WILLIAM BAY, Columbia College, Medical Department, 1797; died 1865, aged 93. JONATHAN EIGHTS, certificate of two physicians; died 1848, aged 75. JOHN STERNS, University of Pennsylvania; died 1848, aged 65.

1811, T. ROMEYN BECK, College of Physicians and Surgeons, 1811; died 1855, aged 64.

1812, JONATHAN JOHNSON, licentiate of this society, 1812; died 1860, aged 75. ERASTUS WILLIAMS, licentiate Vermont State Society, 1800; died 1842, aged 69. PETER DE LAMATER, studied medicine 1794; died 1849, aged 77.

1813, ENOCH CHENEY. OLIVER LATHROP, studied with Dr. White, of Cherry Valley; died 1824, aged 57.

1816, MOSES BROWNELL; died March 12, 1879, aged 90. RICHMOND BROWNELL, filed diploma with County Clerk, 1816; removed to Rhode Island. SAMUEL FREEMAN, Dartmouth; removed to Saratoga; died 1862. GEORGE UFFOLD, Jr., College Physicians and Surgeons, 1816; died 1872, aged 76. PLATT WILLIAMS, Columbia College, Medical Department, 1810; died 1870, aged 86. JOEL A. WING, licentiate Montgomery County Society, 1811; died 1852, aged 65.

1817, THOMAS J. GIBBONS, College Physicians and Surgeons, 1817; died 1819, aged 22.

1819, WILLIAM HUMPHREYS, College Physicians and Surgeons, 1819; died 1826, aged 31. CHARLES MARTIN, licentiate of this society, 1818. ASHBEL S. WEBSTER, College Physicians and Surgeons, 1819; died 1840, aged 44. CALER WOODWARD; soon left the city.

1820, JOHN JAMES, College Physicians and Surgeons, 1819; died 1859, aged 70. ROGER VIETS, died 1853.

1821, MOSES CLEMENT, licentiate of New Hampshire State Society, 1807; died 1831, aged 51. HENRY B. HALLENBECK, licentiate of this society; died 1825, aged 29. LYMAN SPALDING, died 1841, aged 46. BARENT P. STAATS, licentiate New York State Medical Society, 1817; died 1871, aged 74. SAMUEL S. TRERAT, College Physicians and Surgeons, 1821; died 1832, aged 33. PETER VAN O'LINDA, licentiate New York State Medical Society, 1820; died 1872, aged 75. CHRISTOPHER C. YATES, licensed by Supreme Court, 1802; died 1848, aged 70.

1822, VALENTINE DENNICK, licentiate of this society, 1822; date of birth and death not known.

1823, JOHN W. BAY, College Physicians and Surgeons, 1823; died 1877, aged 76. LEWIS C. BECK, licentiate of this society, 1818; died 1853, aged 55. ALDEN MARCH, Brown University, 1820; died 1869, aged 73.

1824, MICHAEL FRELIGH, licensed by civil process; died 1853, aged 83.

1825, RENSSELAER GANSVOORT, College Physicians and Surgeons, 1824; died 1838, aged 35. JOHN W. HINCKLEY, licentiate of this society, 1825; died 1860, aged 57.

1826, CHARLES E. BURROWS. DAVID W. HOUGHTALING, licensed 1822; died 1829, aged 33.

1827, HAZAEL KANE, licentiate of this society, 1822; died at Nassau. HENRY VAN O'LINDA, licentiate of Montgomery County Society, 1826; died 1846, aged 41.

1828, JAMES P. BOYD, University of Pennsylvania, 1825; died May 10, 1881, aged 77. JAMES M. BROWN, licentiate of this society, 1825; died 1854, aged 50. ELISHA S. BURTON, Berkshire Medical College, 1827; died 1873. BENJ. B. FREDENBURG, licentiate Columbia County Society, 1819. SAMUEL HUMPHREYS, licentiate State Society, 1821; died in Liberia, 1832, aged 30. EDWARD A. LEONARD, Yale College, Medical Department, 1827; died 1837, aged 31. MICHAEL MALONE, licentiate State Society, 1826; died 1844, aged 46. JAMES MCNAUGHTON, University of Edinburgh, 1816; died 1874, aged 78. PETER MCNAUGHTON, University of Edinburgh, 1825; died 1875, aged 75. WILLIAM NOBLE, removed to Albion, Orleans County. PETER B. NOXON, licentiate of this society, 1824; died April, 1882, aged 86. PETER P. STAATS, licentiate State Society, 1825; died 1874, aged 71. WILLIAM TULLEY, licentiate Connecticut State Society, 1810; died 1859, aged 74. HENRY VAN ANTWERP, licentiate State Society, 1825; died 1859, aged 57. LUKE WELLINGTON, Berkshire Medical College, 1825; removed. ASA BURBANK, Berkshire Medical College, 1823; died 1832.

1829, EBRAM T. BIGELOW, Fairfield Medical College; died about 1868. HENRY GREEN, Fairfield Medical College, 1814; died 1844, aged 54. ISAAC HEMPSTEAD, licentiate of this society, 1827; died 1852, aged 48. AUGUSTUS F. LAWYER, Fairfield Medical College; died March 27, 1883, aged 75. SOLOMON LINCOLN, licentiate State Society, 1829; removed. NICHOLAS MARKAY; died. FRANCIS N. SELKIRK, licentiate of this society, 1829; died 1849, aged 40. JOHN STYLES; removed to New York City. BENJAMIN VAN ZANDT; died. JAMES WADE, licentiate Schenectady County Society, 1812; died 1867, aged 78. NANNING V. WINNE, Yale Medical School, 1828; died 1858, aged 51.

1830, HENRY BRONSON; removed to New Haven, Conn. JONATHAN H. CASE, Fairfield Medical College, 1828; died 1865, aged 58. OBADIAH CROSBY, in New York, 1828; died 1838, aged 38. VERNOR CUYLER, licentiate State Society, 1822; removed. — DAVIDSON. \*THOMAS HUN, University of Pennsylvania, 1830; Albany. JAMES S. LOW; died. DAVID MCLACHLAN, University of Glasgow, 1829; died 1858, aged 55. RICHARD MURPHY, licentiate State Society, 1830. WILLIAM O'DONNELL; removed to New York City. WILLIAM PEARCE. ALVA W. ROCKWELL, Berkshire Medical College, 1820; died 1837, aged 41. NELSON RUSK, licentiate Chautauqua County Society; at Stuyvesant, N. Y. SAMUEL SHAW, removed to Massachusetts. GUY SPALDING, died 1854, aged 75. JOHN F. TOWNSEND, University of Pennsylvania, 1830; died 1874, aged 65.

1831, DAVID R. BURRUS, Vermont Academy of Medicine, 1833; removed to Saratoga County, 1859. HIRAM CHRISTIE. LANSING CORY. DARIUS COY; removed to Cobleskill. PALMER C. DORR, licentiate of this society, 1824; died 1840, aged 43. RICHARD J. DUSENBURY; removed to Chicago. EDWARD W. FORD, University of Penn-

sylvania, 1831; died 1855, aged 45. TEN EYCK GANSVOORT, University of Pennsylvania, 1825; died 1843, aged 40. LEWIS B. GREGORY, Fairfield Medical College, 1830; died 1838, aged 30. ABRAHAM GROESBECK; removed to Chicago, Illinois. AMMOND HAMMOND, Vermont Academy of Medicine; died 1849, aged 46. ALSON J. HALLENBAKE, licentiate State Society, 1831; died 1846, aged 38. CARROLL HUMPHREY, University of Pennsylvania; died at Calcutta, 1834, aged 29. E. A. LACEY. DAVID SPRINGSTEED, licentiate of this society, 1830. LUTHER M. TRACEY. JOHN T. VAN ALSTYNE, Fairfield Medical College, 1823; died 1876, aged 76. LEONARD G. WARREN, Vermont Academy of Medicine, 1826; died 1866, aged 63.

1832, JARVIS BARNEY, died 1838, aged 33. STEPHEN D. HAND, Berkshire Medical College, 1831. JOSIAH W. LAY, licentiate Green County Medical Society, 1816; died 1862, aged 71. PLATT WICKES, removed.

1833, LEVARETTE MOORE, Berkshire Medical College, 1829; removed to Ballston. — VAN DENMARK.

1834, JAMES H. ARMSBY, Vermont Academy of Medicine, 1833; died 1875, aged 66. FREDERICK CROUNSE, Albany County. SAMUEL DICKSON, licentiate State Society, 1829; died 1858, aged 51. N. L. HUNGERFORD, licensed 1830; died 1839, aged 34. WESTLEY NEWCOMB, Vermont Academy of Medicine, 1832; removed to Ithaca. WILLIAM G. RAICLIFF, removed to Philadelphia. BERNHARD SABALIN, returned to Holland. SIDNEY SAWYER, removed to Chicago, Illinois. HERMAN WENDELL, College Physicians and Surgeons, 1832; died 1881, aged 72.

1837, WILLIAM F. CARTER, Dartmouth Medical College, 1834; died 1866, aged 54. H. A. GRANT, removed to Connecticut. FRANCIS W. PRIEST, left city after short residence. J. B. ROSSMAN, Fairfield Medical College, 1829; died December 23, 1883, aged 77. EDWARD Q. SEWALL, removed to Canada. JOHN H. TROTTER, licensed to practice; died 1861, aged 48. JOHN VAN BUREN, University of the City of New York; died 1856, aged 48. ALEXANDER VAN RENSSELAER, removed to New York City.

1839, JOHN BADCOCK, Vermont Academy of Medicine, 1838; died March 13, 1879, aged 65. JOHN VAN ALSTYNE, died at sea, 1844. PETER VAN BUREN, College Physicians and Surgeons, 1823; died 1873, aged 71. JOHN WILSON, Fairfield Medical College (?); died 1877.

1840, MANON F. COGSWELL, College Physicians and Surgeons, 1833; died 1864, aged 54. OTIS JENKS, licensed by State Society, 1840; died 1854, aged 55.

1841, JOHN O. FLAGLER, died December 17, 1882. E. B. O'CALLAGHAN, licentiate State Society, 1841; died 1880, aged 80. CHARLES H. PAYNE, removed to Saratoga. U. H. WHEELER, died in Brooklyn.

1842, SELAH B. FISH, Berkshire Medical College, 1841; removed from the county.

1844, JOHN CAMPBELL, Albany Medical College, 1843; entered United States Army in 1847. C. E. DAYTON. PATRICK GANNON, in New York; died 1854, aged 74. DAVID MARTIN, Fairfield Medical College, 1828; died 1853, aged 53. WILLIAM J. YOUNG, removed.

1845, URIAH G. BIGELOW, Albany Medical College, 1843; died 1873, aged 52. CHRISTOPHER C. GRIFFIN, licentiate of this society, 1843; died 1856, aged 41. EDWARD PERRY, University of New York; died at the age of 43. J. V. P. QUACKENBUSH, Albany Medical College, 1842; died in 1876, aged 57. RICHARD H. THOMPSON, Albany Medical College, 1842; died 1864.

1846, ISAIAH BREAKEY, Royal College of Surgeons, Dublin, 1816; died 1848, aged 59. \*SAMUEL H. FREEMAN, Albany Medical College, 1846; Albany.

1847, HENRY B. MCHARG, Albany Medical College, 1847; died 1848, aged 22. BENJAMIN A. SHELTON, Albany Medical College, 1847, died September 10, 1864, aged 39. \*JOHN SWINBURNE, Albany Medical College, 1846; Albany. C. C. WALLER, left the city, 1855.

1848, EDWARD H. CLARKE, Albany Medical College, 1848; removed to Buffalo. HENRY B. FAY, Albany Medical College, 1843; removed to New York City. WILLIAM GEOGHEGAN, Royal College Surgeons, Dublin, 1837; died 1877, aged 62. ALEXANDER W. MCNAUGHTON, Albany Medical College, 1848; died January 7, 1865, aged 36. PAUL TODD TABER, Albany Medical College, 1848; died 1851, aged 25. HOWARD TOWNSEND, Albany Medical College, 1846; died January 15, 1867, aged 44. SYLVESTER

D. WILLARD, Albany Medical College, 1848; died April 2, 1865, aged 40.  
 1849, DAVID WILTSIE, Albany Medical College, 1847; died 1875, aged 55.  
 1850, ABRAHAM H. MCKOWN, Albany Medical College, 1845; died 1853, aged 33. THOMAS H. NEELEY, Albany Medical College, 1850; died 1851, aged 25. JACOB REINHART, Heidelberg and Göttingen, 1847; died 1860, aged 35. JAMES H. SALLISBURY, Albany Medical College, 1850; removed to New York City. AUGUSTUS VIELLE, Fairfield Medical College, 1837; died February 12, 1882. ALONZO G. WESTERVELT, Albany Medical College, 1850; removed to Durham, Green County.  
 1851, JAMES L. BABCOCK, Albany Medical College, 1850; died February 13, 1881, aged 58. J. R. BULLOCK, Fairfield Medical College, 1836; Albany County. IRA M. DE LAMATER, Albany Medical College, 1850; died September, 1864, aged 45. DAVID E. FONDA, Fairfield Medical College, 1838; died January 12, 1883, aged 66. WILLIAM A. HAWLEY, Albany Medical College, 1851; removed to Syracuse. CHARLES D. MARSH, Albany Medical College, 1850; removed from the city. WILLIAM B. SIMS, Albany Medical College, 1850; died October 18, 1881. S. O. VAN DER POEL, Jefferson Medical College, 1845; removed to New York, 1881. L. N. WYCKOFF, Albany Medical College, 1852; never practiced medicine; died.  
 1852, F. L. R. CHAPIN, Albany Medical College, 1851; removed to Glen's Falls. SAMUEL INGRAHAM, Albany Medical College, 1849; removed to Palmyra. \*JOSEPH LEWIS, University of Vienna, 1847; Albany. LEVI MOORE, Albany Medical College, 1851; died June 30, 1880, aged 53. HENRY F. SPENCER, Albany Medical College, 1852; died at sea, 1862, aged 36.  
 1853, HIRAM A. EDMONDS, Albany Medical College, 1853; died 1857, aged 29. \*HENRY MARCH, Albany Medical College, 1853; Albany. J. H. SCOON, Albany Medical College, 1849; died July 22, 1880, aged 54. JOHN P. WITBECK, Albany Medical College, 1852; died 1873, aged 44. HARVEY B. WILBUR, Berkshire Medical College, 1842; removed to Syracuse.  
 1854, \*WILLIAM H. BAILEY, Albany Medical College, 1853; Albany. \*WILLIAM H. CRAIG, Albany Medical College, 1852; Albany. \*CHARLES DEVOL, Fairfield Medical College, 1831; Albany. ALEXANDER H. HOFF, Jefferson Medical College, 1843; died 1876, aged 55. S. P. ULIN, Vermont Academy of Medicine, 1852; removed to Lowville.  
 1855, STEPHEN J. W. TABOR, College Physicians and Surgeons, 1841; removed to Iowa. DANIEL WASSERBACH, University of Hague, 1843; died September 11, 1880, aged 66.  
 1856, FREDERICK C. ADAMS, Albany Medical College, 1847; died 1862, aged 40. \*AMOS FOWLER, University of New York, 1846; Albany. \*HENRY G. McNAUGHTON, Albany Medical College, 1856; Albany. STAATS WINNE, Albany Medical College, 1851; died May 30, 1880, aged 53.  
 1857, O. C. ALEXANDER, Albany Medical College, 1854; Albany. \*HIRAM CROUNSE, Vermont Academy of Medicine, 1847; Albany. \*GEORGE H. NEWCOMB, Albany Medical College, 1855; Albany. WILLIAM C. RODGERS, Albany Medical College, 1854; died 1860, aged 30. \*A. SHILAND, Albany Medical College, 1853; West Troy. JOHN I. SWART, Albany Medical College, 1853; died Nov. 24, 1878, at Schoharie, aged 47. ALFRED WANDS, Albany Medical College, 1845; died 1870, aged 48.  
 1858, JOHN H. BECKER, Albany Medical College, 1853; died 1873, aged 45. \*H. S. CASE, Albany Medical College, 1853; Albany. ALEX. A. EDMESTON, Albany Medical College, 1853; died 1871, aged 42. \*THOMAS HELME, Albany Medical College, 1854; McKownsville, Albany Co. MILTON M. LAMB, Vermont Academy of Medicine, 1856; removed to Lansingburgh, 1873. J. J. MYERS, Albany Medical College, 1857; Albany. JAMES E. POMFRET, Albany Medical College, 1858; died Feb. 22, 1869, aged 43. LEROY McLEAN, Albany Medical College, 1855; removed to Troy. GEORGE STEINART, University of New York, 1855; removed to New York City. ANDREW WILSON, licentiate Columbia County Society; died 1871, aged 56.  
 1859, \*CHARLES H. PORTER, Albany Medical College, 1859; Albany. R. S. McMURDY, Albany Medical College,

1847; removed to Minneapolis, 1873. \*R. H. SABIN, Albany Medical College, 1856; West Troy. \*CHARLES H. SMITH, Albany Medical College, 1859; Albany. THOMAS SMITH, Albany Medical College, 1845; died 1862. CHARLES P. STAATS, Albany Medical College, 1853; died April 16, 1884, aged 53. OSCAR H. YOUNG, Albany Medical College, 1858; removed to Michigan.  
 1860, JOSEPH ATHERLEY; died 1864. \*J. R. BOULWARE, Albany Medical College, 1859; Albany. WILLIAM B. CHAMBERS, Albany Medical College, 1858; removed to Fulton County. A. S. HARLOW, Albany Medical College, 1859; removed from the county. WASHINGTON KILMER, Albany Medical College, 1860; removed to Florida. JOHN V. LANSING, New York Medical College, 1854; died May 9, 1880, aged 56. MARTIN L. MEAD, Albany Medical College, 1859; removed to Ohio, 1871. \*J. W. MOORE, Vermont Academy of Medicine, 1859; Cohoes. \*CORNELIUS D. MOSHER, Albany Medical College, 1859; Albany. JOSEPH N. NORTROP, Vermont Academy of Medicine, 1839; died Sept. 17, 1878, aged 61. JOHN SHERIFF, Albany Medical College, 1859; removed. J. L. WELCH, Albany Medical College, 1859; died June 23, 1878, aged 54.  
 1861, WESLEY BLAISDELL, Castleton, Vt.; died 1864, aged 49. \*FRANK G. MOSHER, Albany Medical College, 1848; Coeymans.  
 1862, \*THOMAS BECKETT, Albany Medical College, 1861; Albany. ASAHIEL BURT, Jr., Albany Medical College, 1861; removed. HENRY R. HASKINS, Albany Medical College, 1861; died March 31, 1883, aged 48. J. D. HAVENS, Albany Medical College, 1861; died Feb. 12, 1875, aged 40. FRANK J. MATTIMORE, Albany Medical College, 1860; died 1863, aged 29. F. B. PARMELE, Albany Medical College, 1842; died Jan., 1882, aged 68.  
 1863, JOHN F. CROUNSE, Albany Medical College, 1868; died 1872.  
 1864, STEPHEN JOHNSON, Albany Medical College, 1849; resigned 1875. JACOB S. MOSHER, Albany Medical College, 1863; Albany; died August 13, 1883, aged 49. C. B. O'LEARY, Albany Medical College, 1860; died 1877, aged 38. \*H. W. STEENBERG, Fairfield Medical College, 1837; Green Island. SILAS P. WRIGHT, Albany Medical College, 1862; removed.  
 1865, GIDEON H. ARMSBY, Albany Medical College, 1864; died Nov. 20, 1881, aged 39. MYRON KNOWLTON, Castleton, Vt., 1837; removed to Rochester. P. L. F. REYNOLDS, Albany Medical College, 1861; Albany. CHARLES A. ROBERTSON, Jefferson Medical College, 1853; died April 1, 1880, aged 51. WILLIAM SIGSBEE, Vermont Academy of Medicine, 1852; removed to Illinois. \*EZEKIEL M'FORD WADE, Vermont Academy of Medicine, 1839; Watervliet.  
 1866, CHARLES S. ALLEN, Albany Medical College, 1864; Rensselaer Co. \*HERMAN BENDELL, Albany Medical College, 1862; Albany. JOHN FERGUSON, Vermont Academy of Medicine, 1836; died 1874, aged 62. MICHAEL GILLIGAN; removed. GEORGE T. STEVENS, Vermont Academy of Medicine, 1857; removed to New York City. GUSTAVUS TRESKATIS, Albany Medical College, 1865; removed to New York City. \*ALBERT VAN DER VEER, National Medical College (Med. Dep. Columbia Col., Washington), 1862; Albany. WARNER VAN STEENBERG, University of Vermont (Med. Dep.), 1856; died at Cohoes, May 3, 1880, aged 48.  
 1867, JAMES S. BAILEY, Albany Medical College, 1853; died July 1, 1883, aged 53. \*A. DE GRAFF, Albany Medical College, 1858; Guelderland. \*ALFRED B. HUESTED, Albany Medical College, 1863; Albany. JOHN R. GREGORY, Albany Medical College, 1858; removed to Trumansburg. EDWARD R. HUN, College Physicians and Surgeons, 1866; died March 14, 1880, aged 38. JAMES F. MCKOWN, Albany Medical College, 1866; Albany. \*P. M. MURPHY, Albany Medical College, 1863; Albany. \*D. V. O'LEARY, Albany Medical College, 1866; Albany.  
 1868, L. M. DUNKELMEYER; removed to Cincinnati, O. ALEXANDER McDONALD; died 1877, aged 33. \*JOHN THOMPSON, University of New York, 1868; Albany. RICHARD D. TRAYER, St. Louis Medical College, 1869; removed to Troy, N. Y. \*C. E. WITBECK, Albany Medical College, 1866; Cohoes.  
 1869, \*HIRAM BECKER, Albany Medical College, 1864; New Salem. DANIEL M. STIMSON, College Physicians and Surgeons, 1868; removed to New York City, 1871.

1870; \*JOHN M. BIGELOW, College Physicians and Surgeons, 1870; Albany. J. MYERS BRIGGS, Albany Medical College, 1869; died 1874, aged 29. THOMAS D. CROTHERS, Albany Medical College, 1865; removed to Hartford, Conn. \*J. R. DAVIDSON, Albany Medical College, 1869; South Bethlehem. EUSTIS H. DAVIS, Albany Medical College, 1854; removed to Watkins. \*J. D. FEATHERSTONHAUGH, College Physicians and Surgeons, 1870; Cohoes. H. D. LOSEE, Albany Medical College, 1868; died 1874, aged 25. WILLIAM MORGAN, Albany Medical College, 1869; Albany; resigned 1883. \*WM. H. T. REYNOLDS, College of Physicians and Surgeons, 1870; Albany. \*CHARLES F. SCATTERGOOD, Albany Medical College, 1868; Albany. \*A. P. TEN EYCK, Albany Medical College, 1866; Rensselaer County.

1871, L. R. BOYCE, licentiate Otsego Co. Society, 1862; resigned 1877. ORSON F. COBB, Albany Medical College, 1868; West Troy; suspended 1876. P. J. C. GOLDING; removed to Massachusetts. \*L. C. B. GRAVELINE, Albany Medical College, 1862; Albany. \*LORENZO HALE, Albany Medical College, 1868; Albany. K. V. R. LANSING, Jr., Albany Medical College, 1870; died April 13, 1879. \*WILLIAM H. MURRAY, Albany Medical College, 1869; Albany. E. B. TRIFT, Buffalo Medical College, 1864; removed. BARNABAS WOOD, University of Nashville, 1852; died 1875, aged 56.

1872, \*FREDERIC C. CURTIS, College of Physicians and Surgeons, 1870; Albany. ISAAC DE ZOUCHE, Albany Medical College, 1869; removed to Gloversville, 1875. \*WILLIAM HAILES, Albany Medical College, 1870; Albany. S. A. INGHAM, Albany Medical College, 1871; removed to Little Falls. J. H. LAGRANGE, Albany Medical College, 1871; removed to Columbia County. J. H. LASHER, Albany Medical College, 1871; died 1873, aged 25. CALEB LYON, Albany Medical College, 1871; removed to New York City. PHILIP J. MAGUIRE, College Physicians and Surgeons, 1871; removed to Brooklyn. \*B. U. STEENBERG, Albany Medical College, 1871; Albany. \*JOHN BEN STONEHOUSE, Albany Medical College, 1871; Albany. \*WILLIS G. TUCKER, Albany Medical College, 1870; Albany. \*EUGENE VAN SLYKE, Albany Medical College, 1871; Albany. \*R. H. STARKWEATHER, Albany Medical College, 1871; Albany. \*G. L. ULLMAN, Albany Medical College, 1871; Albany.

1873, ALMON S. ALLEN, Albany Medical College, 1872; removed to Pittsfield, Mass. \*JOHN U. HAYNES, Albany Medical College, 1872; Cohoes. \*JOSEPH H. BLATNER, Albany Medical College, 1872; Albany. GEORGE A. JONES, Albany Medical College, 1869; died 1875. JAMES C. HANNAN, University of New York, 1873; removed to Hoosick Falls, 1881. \*JAMES P. BOYD, Jr., College of Physicians and Surgeons, 1871; Albany. FRANK GARBUTT, Albany Medical College, 1872; removed to Mechanicsville. \*C. E. SEGER, Albany Medical College, 1863; Adams Station. \*PATRICK E. FENNELLY, Albany Medical College, 1869; West Troy. \*OCTAVIUS H. E. CLARKE, McGill University, Montreal, 1870; Cohoes. ALFRED L. WANDS, Albany Medical College, 1869; removed.

1874, \*J. L. ARCHAMBEAULT, Laval University, Quebec, 1870; Cohoes. \*LEWIS BALCH, College Physicians and Surgeons, 1870; Albany. \*O. D. BALL, College Physicians and Surgeons, 1867; Albany. GEORGE H. BENJAMIN, Albany Medical College, 1872; removed. \*L. BOUDRIAS (DE MORAT), Victoria University, Montreal, 1870; Cohoes. C. E. BUFFINTON, Albany Medical College, 1874; West Troy. \*DANIEL H. COOK, Albany Medical College, 1873; Albany. HERMAN C. EVARTS, Albany Medical College, 1873; removed to Carthage, N. Y. JAMES A. HART, College Physicians and Surgeons, 1873; removed to Colorado about 1877. WILLIAM W. MACGREGOR, Albany Medical College, 1873; removed to Glen's Falls. \*CYRUS S. MERRILL, College Physicians and Surgeons, 1871; Albany. LINZEE T. MORRILL, Albany Medical College, 1873; removed. \*NELSON MONROE, Vermont Academy of Medicine, 1840; Green Island. \*GEORGE W. PAPER, College Physicians and Surgeons, 1874; Albany. \*A. T. VAN VRANKEN, Albany Medical College, 1873; West Troy. \*FELIX WEIDMAN, Albany Medical College, 1847; Westerlo.

1875, \*HARVEY W. BELL, Albany Medical College, 1866; removed to East Albany. \*MARY DE BOIS, Woman's Medical College of Pennsylvania, 1871; Albany. HARRIS I. FELLOWS, Albany Medical College, 1874; died August 29, 1881,

aged 44. HIRAM T. HERRINGTON, Albany Medical College, 1873; removed to Rensselaer County. HENRY V. HULL, Albany Medical College, 1874; removed to Schenectady, 1880. \*HENRY E. MERENESS, Albany Medical College, 1874; Albany. JOHN E. METCALF, Albany Medical College, 1874; removed to Ketchum's Corners, N. Y. FRANKLIN A. MUNSON, College Physicians and Surgeons, 1873; died December 8, 1878, aged 26. \*NORMAN L. SNOW, College Physicians and Surgeons, 1861; Albany. \*T. M. TREGO, College Physicians and Surgeons, 1874; Albany. THOMAS WILSON, Albany Medical College, 1874; removed to Claverack, 1876. EDWARD YATES, Jefferson Medical College, 1869; died 1876, aged 29.

1876, \*R. D. CLARK, Long Island Medical College; Albany. WILLIAM A. HALL, Albany Medical College, 1875; removed to Fulton, Oswego Co. \*J. M. HASKELL, University of Michigan; Bath-on-the-Hudson. \*P. J. KEEGAN, University of New York; Albany. \*T. K. PERRY, Albany Medical College, 1875; Albany. \*W. L. PURPLE, Albany Medical College, 1875; Albany. ELBERT T. RULISON, Albany Medical College, 1875; removed to Amsterdam. \*SETH G. SHANKS, Albany Medical College, 1875; Albany. A. H. V. SMYTH, Albany Medical College, 1875; removed to Minaville. \*SAMUEL B. WARD, Georgetown Medical College, 1864; Albany. \*HARRIET A. WOODWARD, Syracuse University, 1875; Albany.

1877, \*JAMES F. BARKER, Albany Medical College, 1877; Albany. \*WILLIAM N. HAYS, Albany Medical College, 1875; Albany.

1878, \*JESSE CROUNSE, Albany Medical College, 1877; Knowersville. \*W. O. STILLMAN, Albany Medical College, 1878; Albany.

1879, \*E. A. BARTLETT, Albany Medical College, 1879; Albany. \*G. UPTON PELTIER, Bishop's College, Quebec, 1873; Cohoes. \*JAMES C. HEALEY, Albany Medical College, 1877; Albany. \*A. W. KILBOURNE, University of the City of New York, 1874; Albany. \*LANSING B. WINNE, College Physicians and Surgeons, 1878; Albany. \*FRANKLIN TOWNSEND, Jr., College Physicians and Surgeons, 1876; Albany. \*OTTO RITZMANN, Albany Medical College, 1879; Albany. \*JOHN C. SHILAND, Albany Medical College, 1878; West Troy. \*URIAH B. LAMOURE, Albany Medical College, 1878; Albany. WM. J. LEWIS, College Physicians and Surgeons, 1878; removed to Hartford, Conn. \*MAURICE J. LEWIS, Albany Medical College, 1877; Albany. THOMAS B. VAN ALSTYNE, Albany Medical College, 1879; removed to Richmondville, N. Y., 1880. P. B. COLLIER, Long Island College Hospital, 1866; Albany. \*EDWARD E. BROWN, Albany Medical College, 1879; Albany. M. W. BROOKS, University of Vermont, 1879; removed to New York City, 1880. \*J. E. HALL, Albany Medical College, 1877; Green Island. S. O. VAN DER POEL, Jr., College Physicians and Surgeons, 1876; removed to New York. WILLIAM GROGHAN, Albany Medical College, 1874; removed to New York. \*JOHN D. R. McALLISTER, Albany Medical College, 1879; Albany. THOMAS FEATHERSTONHAUGH, Albany Medical College, 1877; 1882, removed to New York. SHELDON VOORHEES, Albany Medical College, 1879; removed to Auburn, 1881.

1880, \*DANIEL C. CASE, Albany Medical College, 1870; Slingerlands. \*THEO. P. BAILEY, College Physicians and Surgeons, 1880; Albany. A. P. CASLER, Albany Medical College, 1880. \*FRANK J. MERRINGTON, Albany Medical College, 1880; Albany. \*SAM'L R. MORROW, College Physicians and Surgeons, 1878; Albany. JOHN W. GOULD, Albany Medical College, 1880; removed. JOHN J. WHITE, Albany Medical College, 1879; removed to New York. \*GEORGE E. ELMENDORF, Albany Medical College, 1875; Coeymans Hollow. M. R. C. PECK, College Physicians and Surgeons, 1876. THOMAS D. WORDEN, Albany Medical College, 1880; removed. LEHMAN B. HOIT, Albany Medical College, 1880; removed. JOHN THOMAS KEAY, Albany Medical College, 1879; died January 4, 1881, aged 28. DANIEL FEGAN, Queen's University, Dublin, Ireland; removed to Ireland.

1881, \*GEORGE S. MUNSON, Albany Medical College, 1880; Albany. JOHN F. LOCKWOOD, Albany Medical College, 1881; removed to Wisconsin. S. EDWARD ULLMAN, Albany Medical College, 1880; Albany. \*T. W. NELLIS, Albany Medical College, 1881; Albany. \*W. J. NELLIS, Albany Medical College, 1879; Albany. \*F. L. CLASSEN,

Albany Medical College, 1881; Albany. \*HOWARD MILLER, Albany Medical College, 1881; Albany. \*HOWARD S. PAINE, Albany Medical College, 1881; Albany. \*LAURENTINE ROUCHEL, Buffalo Medical College; Albany. THOMAS G. HYLAND, Bellevue Medical College; removed. CARROL H. PHILLIPS, Albany Medical College, Watervliet; died February 14, 1883. C. W. GREEN, Albany Medical College; removed. CHARLES F. HUDDLESTON, Albany Medical College; removed.

1882, \*W. B. SABIN, Albany Medical College, 1882; West Troy. \*SAMUEL PETERS, Vermont Academy of Medicine, 1846; West Troy. FRANK S. PETER, Albany Medical College, 1874; died 1883. \*HENRY HUN, Harvard Medical School, 1879; Albany. \*GEORGE E. LYON, Albany Medical College, 1882; West Troy. \*W. H. FOWLER, Jefferson Medical College, 1879; Albany. \*DAVID FLEISCHMAN, Albany Medical College, 1881; Albany.

1883, \*WILLIAM L. SCHUTTER, Albany Medical College, 1883; Albany. \*FRANK H. FISK, Albany Medical College,

1883; Albany. \*CHARLES K. CRAWFORD, Albany Medical College, 1881; Albany. \*J. W. RILEY, Albany Medical College, 1882; Albany. WALTER W. SCHOFIELD, Albany Medical College, 1882; removed to Massachusetts. \*C. M. CULVER, Albany Medical College, 1881; Albany. J. W. MANN, Albany Medical College, 1882; died 1884.

1884, \*J. H. MITCHELL, Albany Medical College, 1882; Cohoes. \*R. J. BROWN, Albany Medical College, 1882; Albany. \*T. F. C. VAN ALLEN, Albany Medical College, 1882; Albany. \*JOSEPH D. CRAIG, Albany Medical College, 1884; Albany. \*EDGAR C. HALLENBECK, Bellevue Medical College, 1881; Bethlehem. G. S. KNICKERBOCKER, College Physicians and Surgeons; removed. C. C. SCHUYLER, Albany Medical College; Troy (non-resident).

1885, \*SELWIN A. RUSSELL, Albany Medical College, 1877; Albany. \*FREDERICK D. MORRILL, Albany Medical College, 1881; Albany. \*JOHN H. SKILLICORN, Albany Medical College, 1883; Albany.

OFFICERS OF THE SOCIETY FROM ITS ORGANIZATION.

YEAR.	PRESIDENT.	VICE-PRESIDENT.	SECRETARY.	TREASURER.
1806	Hunloke Woodruff.....	Wm. McClelland.....	Charles D. Townsend.....	John G. Knauff.
1807	"	"	"	"
1808	"	"	"	"
1809	"	"	"	"
1810	"	"	"	Peter Wendell.
1811	"	"	"	"
1812	Wm. McClelland.....	Charles D. Townsend.....	J. L. Van Deusen.....	"
1813	Jonathan Eights.....	Isaac Hyde.....	T. Romeyn Beck.....	"
1814	"	Erastus Williams.....	"	"
1815	"	"	"	"
1816	"	John Stearns.....	Peter Wendell.....	Joel A. Wing.
1817	John Stearns.....	James Low.....	"	"
1818	"	"	"	"
1819	"	"	"	"
1820	James Low.....	William Bay.....	"	"
1821	Jonathan Eights.....	"	"	"
1822	C. C. Yates.....	"	William Humpfrey.....	"
1823	William Bay.....	Jonathan Eights.....	"	"
1824	"	"	"	Barent P. Staats.
1825	"	"	"	Peter Van O'Linda.
1826	Joel A. Wing.....	Peter Williams.....	"	John W. Hinckley.
1827	"	"	Peter Van O'Linda.....	"
1828	Platt Williams.....	Charles D. Townsend.....	James P. Boyd.....	Roger Viets.
1829	"	Barent P. Staats.....	"	Edward A. Leonard.
1830	Charles D. Townsend.....	"	Luke Wellington.....	Isaac Hempstead.
1831	"	"	"	"
1832	Alden March.....	Guy Spalding.....	Elisha S. Burton.....	Carroll Humpfrey.
1833	"	"	"	"
1834	Barent P. Staats.....	B. B. Fredenburgh.....	Herman Wendell.....	Jarvis Barney.
1835	"	Peter B. Noxon.....	"	"
1836	"	Alva W. Rockwell.....	"	"
1837	John W. Bay.....	L. G. Warren.....	Abraham Groesbeck.....	John F. Townsend.
1838	James P. Boyd.....	Peter McNaughton.....	"	Henry Greene.
1839	"	"	"	Henry Van O'Linda.
1840	Jonathan Eights.....	"	Peter Van Buren.....	"
1841	Peter Van Buren.....	John S. Van Alstyne.....	Henry Greene.....	"
1842	"	"	"	"
1843	"	"	Jonathan Case.....	E. B. O'Callighan.
1844	Thomas Hun.....	Henry Van O'Linda.....	John Campbell.....	"
1845	"	Mason F. Cogswell.....	"	"
1846	Mason F. Cogswell.....	R. H. Thompson.....	"	"
1847	"	"	J. V. P. Quackenbush.....	C. C. Waller.
1848	James McNaughton.....	John Swinburne.....	Benjamin A. Sheldon.....	"
1849	"	"	"	J. B. Rossman.
1850	James H. Armsby.....	Wm. F. Carter.....	"	"
1851	"	"	"	"
1852	J. V. P. Quackenbush.....	U. G. Bigelow.....	Sylvester D. Willard.....	C. C. Waller.
1853	"	"	"	"
1854	Uriah G. Bigelow.....	Samuel H. Freeman.....	"	"
1855	"	"	"	"
1856	Samuel H. Freeman.....	Sylvester D. Willard.....	Levi Moore.....	William H. Bailey.
1857	"	"	"	"
1858	Sylvester D. Willard.....	S. O. Vanderpoel.....	"	"

## OFFICERS OF THE SOCIETY.—CONTINUED.

YEAR.	PRESIDENT.	VICE-PRESIDENT.	SECRETARY.	TREASURER.
1859	William F. Carter.....	S. O. Vanderpoel.....	Levi Moore.....	William H. Bailey.
1860	S. O. Vanderpoel.....	Leonard G. Warren.....	Oscar H. Young.....	George H. Newcomb.
1861	"	"	"	"
1862	Howard Townsend.....	Joseph Lewi.....	"	Henry March.
1863	Peter McNaughton.....	Levi Moore.....	J. R. Boulware.....	"
1864	Peter P. Staats.....	Frank G. Mosher.....	"	H. R. Haskins.
1865	Levi Moore.....	R. H. Sabin.....	Martin L. Mead.....	F. L. R. Chapin.
1866	James E. Pomfret.....	"	"	Thomas Beckett.
1867	R. H. Sabin.....	James L. Babcock.....	George T. Stevens.....	"
1868	James L. Babcock.....	J. W. Moore.....	Charles H. Porter.....	Andrew Wilson.
1869	William H. Craig.....	C. D. Mosher.....	"	"
1870	William H. Bailey.....	Andrew Wilson.....	"	D. V. O'Leary.
1871	Joseph Lewi.....	Amos Fowler.....	John M. Bigelow.....	"
1872	Albert Van Derveer.....	A. Shiland.....	Frederic C. Curtis.....	William H. Murray.
1873	John Swinburne.....	H. W. Steenberg.....	"	W. H. T. Reynolds.
1874	James S. Bailey.....	C. E. Witbeck.....	Joseph H. Blatner.....	"
1875	Henry March.....	J. D. Featherstonhaugh.....	Lewis Balch.....	D. H. Cook.
1876	Joseph N. Northrop.....	William H. Murray.....	B. U. Steenberg.....	A. T. Van Vranken.
1877	Charles A. Robertson.....	Louis Boudrias.....	Eugene Van Slyke.....	H. E. Mereness.
1878	Frederic C. Curtis.....	A. T. Van Vranken.....	T. Kirk Perry.....	"
1879	John M. Bigelow.....	B. U. Steenberg.....	Lorenzo Hale.....	G. L. Ullman.
1880	A. Shiland.....	William Hailes.....	"	"
1881	Jacob S. Mosher.....	John U. Haynes.....	T. Featherstonhaugh.....	M. J. Lewi.
1882	Norman L. Snow.....	D. C. Case.....	M. J. Lewi.....	"
1883	Herman Bendell.....	J. L. Archambeault.....	E. A. Bartlett.....	"
1884	J. D. Featherstonhaugh.....	T. Kirk Perry.....	Jno. Ben. Stonehouse.....	Uriah B. La Moure.

The publications of the society have been quite remarkable. The entire Transactions of the society have been printed in three volumes of 400 or 500 pages. The first was prepared by Dr. S. D. Willard, and extends to 1850; the second, chiefly by Dr. J. S. Bailey, covers the next twenty years, and the third, chiefly by Dr. F. C. Curtis, recently printed, is filled by the ten years following, down to 1880. These volumes contain biographies of nearly two hundred members, and a number of portraits of deceased and prominent members. The society also has maintained for five years a monthly journal, the *Albany Medical Annals*. Dr. March, in 1830, wrote "A Plea for Establishing a Medical Journal in Albany." Our periodical, which is largely made up of material presented at the monthly meetings of the society, has a considerable circulation outside of the society's territory, and extracts from it frequently appear in other journals. The Editorial Committee are Drs. F. C. Curtis, A. Van der Veer, Lorenzo Hale, J. B. Stonehouse and Willis G. Tucker. Probably no other society in the country has done so much in the matter of publication.

The cholera epidemic of 1832 was an important epoch in the annals of medicine. This disease, which in its European and American history belongs to this century, made its first appearance on this continent at Quebec in 1832, and a fortnight later broke out in Albany. It justly created great alarm. At the request of the Mayor, a meeting of the

Medical Society was called to devise means to arrest its progress, and a staff was organized, consisting of Drs. Eights, Wing, Greene, Boyd, Townsend, Wendell, James, McNaughton and March. The physicians of the city met every evening at the City Hall, where an album was kept in which to enter the names of the deceased. The number of reported cases was 1,147, of which 422 were fatal. Two years later, on a fresh outbreak, there were 124 cases, with 78 deaths. No such fatal disease had prevailed since the small-pox epidemics of early history.

Conspicuous among the younger men then was Dr. James P. Boyd. His faithful work at that time gave him an impetus, and he secured a position which made him for very many years one of the first physicians in the city. The brothers James and Peter McNaughton were older by several years. The former had been a professor in a medical school then for twelve years, and at the time of his death, in 1874, he was the senior teacher of medicine, probably, in the world. He was made at this time President of the Board of Health, and wrote a paper on the disease, which was in much demand. His brother, in a less public way, was, perhaps, even more active as a practicing physician. Both of them, in civil as well as medical relations, were for half a century among the first citizens of Albany. The brothers Staats, of the same name as our earliest historical physician, were well known men here for many years. The elder, Dr. Barent, was prominent in politics, and was also a trustee of

numerous mercantile concerns. He was at this time Health Officer of the port. Dr. Alden March was a well-established physician, having come here from New England in 1820. In the fifty years that he practiced he made a world-wide reputation as a surgeon and teacher. The Doctors Beck were, in some respects, the most remarkable men in our history. One of them was sent at this time by the Governor to visit the northern frontier for the purpose of procuring information and organizing boards of health. Dr. T. Romeyn Beck is known over the civilized world as the author of "Medical Jurisprudence." Both of the brothers devoted most of their lives to teaching and scientific literature. Younger than any of them was Dr. Thomas Hun, just entering practice then, and the only one of that time now living, having, however, well earned retirement from active work by over fifty years of service, which brought him a reputation second to none in the country. This strong body of men, most of them of thorough literary and medical education, formed the body of the profession through the two middle quarters of this century, and all of them lived so nearly up to the present time that there are few Albanians to whom they are not perfectly familiar. They had a hand in every important event, professional or civic, that transpired through the long period that they worked together, during which the city doubled its population two or three times.

As in the last century the wars were important periods in our medical history, so in this. In the war of 1812, which was partly at our door, a few of the local physicians were engaged. Most prominently was Dr. Platt Williams, a graduate of Williams College, and prepared by a long course of professional study. The war broke out soon after he began to practice, and he immediately received from Gov. Tompkins the appointment of surgeon to the Second Regiment of Riflemen. He served through the war on the Niagara frontiers. Two years later, having returned to Albany, he was appointed post surgeon of the cantonment at Greenbush, and retained the position till its abandonment in 1822.

Dr. Henry Greene, a native of Rhode Island, immediately after his graduation in 1814, was made assistant surgeon of the Twenty-fifth Regulars, and saw hard service in Canada, remaining in the army till peace was declared. He came to Albany in 1828, was prominent here in the cholera epidemic, and was one of the first faculty of the Medical College.

Dr. Joel A. Wing was for thirty-eight years a physician of Albany. Almost as soon as he graduated he was, without his knowledge, appointed surgeon in the army, which he did not accept, so that his connection with the war was but nominal. He, however, was made post surgeon of the Greenbush barracks in 1844. On his first visit to the barracks, being young, undersized and unimpressive, he was treated with some insolence by the orderly, or nurse. He knocked the man down, and it took all the money he had to pay the fine imposed by the justice; but he secured wholesome respect afterward. Dr. Wing worked very hard in the cholera epidemic and was himself taken with the disease, his recovery speaking well for his associates. In the course of his life he held various important civil positions.

The Mexican war was enacted at a remote point, and none of the profession of this county appears to have served in it.

The late Civil war furnishes a point around which to group a very considerable number of the men and events of our peaceful profession. The men who participated in it were for the most part those of to-day. Its outbreak found Dr. S. O. Vanderpoel, then one of the most active physicians in the city, in the office of Surgeon-General of the State, which place he filled from 1859 to 1863, under Gov. Morgan. It gave him the medical direction in the formation of all regiments sent from this State, the examination of all applicants for and filling of all vacancies in the medical staff of each regiment. He had at the end of his term of service over 600 surgeons in the field. He established promotion by grade in medical corps instead of regimental. During a portion of McClellan's advance in the Peninsula, and in the first battle of the Wilderness, he went as volunteer surgeon. Subsequently he was inspector of hospitals for the Sanitary Commission. After the war Dr. Vanderpoel was for eight years Health Officer of the Port of New York. He was also for many years on the Medical College faculty and physician to the hospitals. In 1881 he removed to New York City.

Dr. J. V. P. Quackenbush was Surgeon-General from '63 to '65, under Gov. Seymour, and carried out its arduous duties almost to the end of the war. He spent his entire professional life in Albany, one of its prominent physicians, a leading citizen and a most popular lecturer at the Medical College and hospitals.

Dr. S. D. Willard succeeded him in official position, but died during the same year. He had pre-

viously seen considerable service at the front as volunteer surgeon, especially in 1862, after the battles of the Peninsula, to look after New York soldiers. The profession, of Albany especially, is indebted to him for much laborious work on medical and historical literature, and Willard Asylum was justly named after him for his efforts toward its establishment.

Dr. James D. Pomfret was Surgeon-General from '65 to '69, under Gov. Fenton. In '62 he was appointed surgeon of the 113th Regiment, which was raised entirely in this county; it was changed to the 7th Heavy Artillery, and till May, '64, was placed in the defenses of Washington, during which time he acted as Brigade Surgeon. It then being sent to the front, he was made Division Surgeon, and later Surgeon-in-Chief of the 2d Army Corps. After his return home he had charge of the Soldiers' Home here and was connected with the college and hospitals.

Dr. Jacob S. Mosher was the last of the Albany physicians to hold the office of Surgeon-General, from '69 to '73, under Gov. Hoffman. He served as volunteer surgeon from his graduation in '63 to the close of the war in the hospitals of the Army of the Potomac and at Washington. While there he was appointed Asst. State Medical Director at Washington, holding the position till '67. From '70 till '76 he was Deputy Health Officer of the Port of New York, was on the Yellow Fever Commission appointed by Congress, and till his death, in 1883, was prominent in various departments of medicine and in civil life, being one of the most variously gifted men Albany has ever had.

Dr. J. W. Moore entered the navy in '61 as Asst. Surgeon, and served in the Chesapeake Bay and Potomac River for fourteen months as Surgeon of the Flotilla, participating in many battles, beginning with that of Sewall's Point, the first naval battle of the war. He was in the same fleet with the *Monitor* during its fight with the *Merrimac*. He also served in the North Atlantic Squadron and was Fleet Surgeon of the St. John's River Flotilla. For six months he was with the frigate *Florida*, which was fitted out to cruise for the *Alabama*. After serving for a year in the U. S. A. General Hospital he returned home to Cohoes, where he has since been actively engaged in private practice.

Dr. J. Savage Delavan was appointed Asst. Surgeon, 169th Infantry, in '63, but not being mustered, owing to lack of numbers in the regiment, entered hospital service at Washington. After a time he was commissioned by Gov. Buckingham 1st Asst. Surgeon, 1st Connecticut Artillery, and remained

with that regiment through the war, declining the surgeoncy of 1st N. Y. Cavalry, offered him by Gov. Seymour. He was in all the artillery battles before Petersburg down to the repulse of the Confederates at Fort Steadman, and was at the "mine" and the taking of Fort Fisher. Before the war he was for some time Pension Examining Surgeon, and was again appointed after the war. He was Vice-Consul at Geneva, Switzerland, for two years. Having resumed practice in Albany, he is one of the physicians to the Homœopathic Hospital, and has been one of the three State Commissioners of Health of the State Board of Health since it was first organized.

Dr. Herman Bendell served in the Army of the Potomac and of the Shenandoah from '62 to the close of the war. He was first appointed Asst. Surgeon, 6th N. Y. Artillery; in December, '64, he became surgeon of the 86th N. Y. Vet. Vols. During the final campaign to Richmond he was surgeon in charge of the Depot Field Hospital. He was discharged as Brevet Lieutenant-Colonel, N. Y. V. After the war he was Superintendent of Indian Affairs in Arizona Territory, and has now for several years been engaged in private practice here. He now holds the office of Pension Examining Surgeon.

Dr. Samuel B. Ward during a part of 1862 was in the service of the Sanitary Commission on transports of sick to northern ports. In September of that year he became, by contract with the Medical Director of the Department of Washington, acting Medical Cadet, and afterward acting Assistant Surgeon. Having obtained his degree in medicine, he was appointed, after examination, Assistant Surgeon, New York Volunteers, by President Lincoln, and served till the close of the war. He has been connected with the National Guard since 1872, being now surgeon of the Ninth Brigade. He came to Albany in 1876, and has since been one of the faculty of the Medical College and connected with the hospitals.

Dr. Charles A. Robertson was commissioned Surgeon of the 159th New York Volunteers in 1862. He was at Irish Bend, the siege of Port Hudson, Donaldsonville and Vermillion Bayou. Before Port Hudson, he was acting Division Surgeon of Field Hospitals. He was on special service through the Têche country. Prior to the war he had practiced ophthalmology in Boston, and after his service he came to Albany and was the first specialist in this branch of practice, in which he was remarkably skillful. He was attached to several hospitals and had a large practice till his death in 1880.

Dr. Thomas Helme, of McKownsville, was commissioned Assistant Surgeon, 148th New York Volunteers, in November, 1863. His grandfather was a revolutionary soldier and a prominent man in Rhode Island; his father was in the war of 1812 in some military capacity. In 1865 Dr. Helme was promoted to Surgeon of the 85th Regiment. He saw service in the Carolinas and Virginia, was in all the battles before Petersburg, and at the taking of Fort Harrison was wounded while on a charge, so that he was laid up for several weeks. Otherwise he was on active service to the close of the war, when he returned to this county, where he is still in active practice.

Dr. Charles H. Porter was made Assistant Surgeon, 40th New York Volunteers, in November, 1862, but was not mustered. In January, 1863, he was commissioned Surgeon of the Sixth Artillery, to which regiment Dr. Bendell was attached, serving with it to the close of the war, being mustered out with the rank of Brevet Colonel, New York Volunteers. He has since practiced in Albany and for several years has been one of the pension examining surgeons.

Dr. Alexander H. Hoff came to Albany in 1853, and was Surgeon-General from 1854 to 1856. For several years he was examining surgeon at the United States rendezvous here. He entered the army as Surgeon of the Third New York Volunteers, becoming the same year Medical Director under Gen. Fremont, and Chief of Hospital Supplies. In 1864 and till the close of the war he was Medical Director of Transportation. In 1867 he entered the regular army as Surgeon and Brevet Colonel, United States Volunteers, and remained in the service till his death in 1876. His son is now Assistant Surgeon, United States Army.

Dr. N. L. Snow entered the service as Assistant Surgeon, 153d New York Volunteers, in August, 1862, was promoted Surgeon, February, 1864, and was discharged October, 1865. He was in the defense of Washington, was with Sheridan in the Shenandoah, and with Banks on his Red River campaign. During the summer of 1865 he was Health Officer of the District of Savannah. He practiced a number of years at Canajoharie, and about 1875 came to Albany. He has hospital and college connection, and is now President of the Board of Aldermen.

Dr. Albert Van Der Veer was appointed Medical Cadet at the Ira Harris Hospital in June, 1861. The following year he was made Medical Cadet in the army, being one of the original one hundred. He served in this capacity at Columbia College

Hospital, Washington, until December, 1862, when he was appointed Assistant Surgeon, 66th New York Volunteers, joining his regiment at Falmouth, Va. In August, 1864, he was promoted surgeon of the same regiment. For over two years he was surgeon in charge of one of the operating tables of the First Division Hospital, Second Army Corps, during the time also having charge of locating the hospital supplies, building winter quarters, etc. He was mustered out with his regiment, which had participated in many of the battles of the Army of the Potomac, August, 1865, and returned to Albany, where he has since been engaged in active practice. Since 1876 he has been a member of the Medical College Faculty as Professor of Surgery, in which department he is pre-eminent in the annals of Albany, besides having a very extensive general and consulting practice in a large region about this city. He is a frequent contributor to medical literature, and is a member of many home and foreign societies, being at this time President of the State Medical Society.

Dr. A. B. Husted served as Hospital Steward of the 113th New York Volunteers (Seventh Heavy Artillery) from 1862 to 1864, the regiment being on garrison duty near Washington. March, 1864, he became Assistant Surgeon, 21st New York Cavalry, and served as such till July, 1866, seeing very active service in the Shenandoah and on the overland stage route north of Denver, along which the regiment was distributed after the war. He has since resided in Albany, and is now one of the faculty of the College of Pharmacy.

Dr. George H. Newcomb was commissioned, August 1862, Assistant Surgeon, 113th New York Volunteers (Seventh Heavy Artillery) and served with it till May, 1865, being promoted Surgeon, February, 1865. This regiment, which was raised in this county, was on garrison duty at Washington, and saw service, in all of which he participated, from Spottsylvania to Petersburg.

Dr. George T. Stevens was Surgeon 77th New York Volunteers from October, 1861, to December, 1865, and was present at nearly all the battles of the Army of the Potomac after the first Bull Run, and of the Shenandoah under Sheridan. In 1862 he was appointed Operating Surgeon of the Third Brigade, and during periods was in charge of the division hospital. After the battles of the Wilderness, he had charge of wounded officers of the Sixth Corps, who were taken to Fredericksburg. He has contributed largely to the surgical history of the war and is author of "Three Years with the Sixth Corps." He practiced in Albany for

several years after the war, and for a time was connected with the Medical College; he now resides in New York.

Dr. P. M. Murphy entered the service as Assistant Surgeon, 134th N. Y. V., March, '64, and was mustered out with his regiment, June, '65. He was in the Army of the Cumberland, in the Southeast, with Sherman, and in the March to the Sea; he participated in all the engagements of the 20th Corps—about twenty-seven in all. He was commissioned Surgeon of the 89th Regiment, but not mustered. Since the war he has resided in this city.

Dr. A. A. Edmeston entered service as Assistant Surgeon, 18th N. Y. V., in '61, and was soon after promoted surgeon of the 92d Regiment, and served through the war. He participated in many of the battles, whose names are familiar, in Virginia and North Carolina. Once he voluntarily accompanied a body of sick and wounded men to Libby Prison and remained there several weeks. While in the army he contracted chronic diarrhoea, from which he never recovered; he died in 1871.

Dr. Frank J. Mattimore was appointed Assistant Surgeon, 18th N. Y. V., in 1862. He saw arduous service at Antietam and the disaster of Fredericksburg. He was mustered out with his regiment in 1863 and returned home, where he died a few months later from the effects of swamp fever which he had contracted in the service.

Dr. Wesley Blaisdell was also a martyr to the war. He was a practitioner of Coeymans, and in August, '62, enlisted as Assistant Surgeon, 113th N. Y. V., being transferred a few months later to the 75th Regiment. In July following, having served at the siege of Port Hudson, he resigned. After a short time he went back to the army and was sent to Newburn, where he contracted yellow fever, which terminated fatally.

Dr. C. B. O'Leary was professionally connected with the army almost throughout the war, with intervals, and with various regiments. He was Assistant Surgeon of the 25th and 145th Regiments, and Surgeon of the 175th, serving with the Army of the Potomac and at Port Hudson. He returned to Albany, and died here in 1877. His brother, Dr. D. V. O'Leary, was recently health officer and is now postmaster of the city, being also on the medical staff of St. Peter's Hospital.

Dr. Warner Van Steenberg entered the army in '61, as Assistant Surgeon, 1st N. Y. Inf.; a year after was promoted Surgeon of the 55th, and afterward was transferred to the 120th. He was mustered out with his regiment, with the rank of Brevet

Lieutenant-Colonel. He settled to practice in Cohoes, where he remained until his death in 1880.

Dr. P. L. F. Reynolds was commissioned Assistant Surgeon, 169th N. Y. V., September, '62; he resigned December, '63. The regiment saw service in Virginia and the Carolinas. In March, '65, he received a commission as Assistant Surgeon, 94th N. Y. V., but was not mustered. He is now practicing in Albany.

Dr. William H. Craig, then a practitioner for eight years in this city, was commissioned, October, '62, Surgeon 177th N. Y. V., a regiment which was raised in Albany, to serve nine months, and seeing service at Ponchatoula, Scivique's Ferry and Port Hudson. He remained with his regiment until the expiration of its service. Since the war he has resided in Albany, and has for several years held the office of postmaster.

Dr. Jephtha R. Boulware served as Assistant Surgeon of the same regiment with which Dr. Craig was connected, the 177th, as did also Dr. Oscar Young, who resided here for several years. Dr. Boulware has been a prominent practitioner in Albany since his war service, and for a time was Surgeon of St. Peter's Hospital.

Dr. Henry R. Haskins was commissioned Surgeon of the 192d N. Y. V., which was partly raised in this county, in February, '65, and was mustered out in the August following. He practiced in Albany till his death in 1884; was for several years Professor of Anatomy at the Medical College, and was prominent especially as a surgeon.

Dr. Thomas Beckett was made Assistant Surgeon, 25th N. Y. Nat. Guard, April, '61, and served with it for five months in Virginia. October, '62, was again mustered as First Assistant Surgeon 4th Regiment (Corcoran's Brigade), consolidated with the 175th N. Y. V., and sent to Louisiana. For a time he was detached and placed in charge of the sick of General Emory's Division. He accompanied his regiment on the expedition to Plaquemine and the Têche raid, and at the battle of Brislard was three days and nights on the field; at Port Hudson he had become so reduced in health that he was discharged, June, '63, with the rank of Brevet Major, N. Y. V. In '65 he was placed on duty as Acting Assistant Surgeon at the Ira Harris Hospital here, and served to the end of the war.

Dr. Charles P. Staats was made Assistant Surgeon, 67th New York Infantry, in 1863, seeing service for a year and a half with the Army of the Potomac. After being mustered out with his regiment he returned to Albany, where he died in 1884.

Dr. John H. Wilbur, now a practitioner of Cohoes, enlisted in the 44th New York Volunteers in 1861, and after two years' service was discharged on account of physical disabilities. In September, 1866, he was commissioned by Gov. Fenton Surgeon of the 108th Infantry, and served till the regiment disbanded.

Dr. R. H. Sabin, of West Troy, received a commission as Assistant Surgeon, Seventh New York Artillery, but was prevented by domestic affairs from serving.

Besides these there were a number of Albany physicians who, while having no regular regimental attachment, saw considerable service in army hospitals and at the front after severe battles. Dr. Mason F. Cogswell, a practitioner here since 1833, and having held various offices of responsibility, was at the outbreak of the war appointed Examining Surgeon. He was surgeon of a post hospital in 1862, and served as volunteer surgeon after the battles of the Wilderness. In 1863 he visited hospitals in the West with Dr. Thomas Hun, for the Christian Commission. His death in 1865 was attributed partly to his hard work in Virginia. Dr. J. V. Lansing was examiner of recruits here, where a large number of regiments were organized. He also served as contract surgeon, or acting assistant. For many years he was connected with the college and hospital here; he died in 1880, while surgeon to Dannemora prison. Dr. Henry March was assistant volunteer surgeon, sent by the State in 1861-2; he was on hospital service at Fortress Monroe and at Fredericksburg. Dr. Wm. H. Bailey, for many years a leading physician of Albany, was sent to Washington and the army to look after the welfare of New York troops, several times by the Governor and the Christian Commission. He is now connected with the Albany Hospital; is one of the pension examining surgeons, and a late president of the State Medical Society. Similar special service was rendered by Dr. John Swinburne, a sketch of whose life may be found on another page, Dr. Levi Moore, Dr. J. L. Babcock, and probably others. Dr. Alden March gave his valuable services to the inmates of the Soldiers' Home located here. Dr. James H. Armsby rendered the same patriotic service. Dr. Ira M. Delamater, Dr. S. H. Freeman and Dr. A. P. Ten Eyck were likewise connected with the work in this home for disabled soldiers.

Besides those who have served in a professional capacity, there are a few among the physicians here who may be mentioned for other service during the war.

Dr. O. D. Ball enlisted, November, 1861, in the Third New York Light Artillery as Quartermaster-Sergeant; in 1864 he was commissioned Second Lieutenant, and a few months later was promoted to First Lieutenant and assigned to duty as regimental quartermaster, and for a time was acting Assistant Adjutant-General. He went up the James River with the army under General Butler as ordnance officer, and was engaged in the preliminary battles and siege of Petersburg, the battles of James River and Wilson's Landing. He served through the war and came to Albany in 1874, after several years' practice in Otsego County.

Dr. Edward E. Brown entered the service in September, 1862, as First Lieutenant Fifth New York Heavy Artillery, and was promoted Captain, serving through the war. He saw service principally in the defenses of Washington; was engaged in the taking of Harper's Ferry. Since graduating at the Albany Medical College he has practiced in Bethlehem, and now is settled in Albany.

Dr. E. A. Bartlett, a descendant of the Dr. Josiah Bartlett, signer of the Declaration of Independence, enlisted as private in the Fourth United States Artillery in 1863, for five years, and participated in twelve engagements of the Department of the Cumberland and Tennessee. He was wounded at Pulaski in January, 1865. In 1866, the war having ended, he was, through Senator Harris, discharged, in order to complete his collegiate education. His professional life he has spent in Albany. He is a contributor to literature, general and medical, his latest work being a popular brochure on cholera.

Dr. F. C. Curtis enlisted in the spring of 1864, with a large part of his college class, as private in the 40th Wisconsin hundred days' regiment, and saw service during the summer chiefly in the defenses of Memphis.

Dr. Lewis Balch, although not in the army during the war, may be mentioned as a prominent medical officer of the National Guard, in which he is a senior surgeon, 10th battalion, with rank of major. He is connected with the college and the hospitals here, and is now health officer of the city.

As completely as possible the military history of medical men in this county has been presented in recognition of the important relation that exists between war and the science of medicine.

During this century the city and county have maintained the early repute for healthfulness, the cholera epidemics already referred to being the most notable inroad upon it. The topography, soil and

drainage are favorable to salubrity. The city especially is admirably situated, with its succession of slopes and valleys draining rapidly into the all-absorbing river, and it needs but a decent attention to artificial aids for removing waste and moisture, with an abundance of pure water, to keep it the healthiest city in the world.

The various medical institutions which have been brought into existence during the century are important features of our medical history. The Albany Medical College was organized in 1838, and is one of the oldest schools of medicine in this country. As early as 1821 Dr. Alden March began to give a course of instruction in anatomy by lectures and dissections, and continued it until the organization of the College; for ten years of the time also holding the chair of anatomy and physiology in the Vermont Academy of Medicine. He began in 1830 to agitate the propriety of establishing a college and hospital here. Soon after this Dr. James H. Armsby became associated with Dr. March in his private school, at the same time also lecturing at the Vermont institution. He delivered several courses of public lectures on anatomy, and did much thereby to awaken the interest of prominent citizens in the subject. This resulted in a meeting of citizens in 1838, at which the preliminary steps were taken toward its organization, some of the best men in the city co-operating for the purpose. Funds were subscribed, a faculty and board of trustees selected, and the Lancaster school building leased, rent free, of the Common Council. The first course of lectures began in January, 1839, to a class of fifty-seven students, and an extensive museum, chiefly contributed by Drs. March and Armsby, was displayed to the public. This museum has received further contributions from Drs. March, Armsby, McNaughton, Van Der Veer and others, until now it is one of the largest in the country, and is still, on stated days, open to the public. During the first few years Dr. Armsby and Mr. Amos Dean, who was professor of medical jurisprudence, delivered public lectures in the evening, which added much to the interest in the institution. In 1841 the Legislature made an appropriation of \$15,000 to it, and subsequently \$6,000, and the citizens of Albany contributed \$10,000 for its establishment. The first class that graduated numbered thirteen. Since then the college has contributed 2,000 men to the medical force of the country, all over which they are scattered, and many of them the leading men of their localities. The college has had on its board of

trustees the first citizens of Albany, and the leading physicians have been on its faculty or board of curators. Within a few years the demand for higher education has been met by the requirement of a preliminary examination of all applicants for admission, by the establishment of a three years' graded course of study, and by monthly written examinations. But very few medical schools in this country are thus exacting; this one, consequently, stands high. The final examination by the faculty is a written one, and after it the graduate has still to pass another by the board of curators. The course is not only scientific but practical, by the exhibition of cases, operations and laboratory work, and a number of prizes stimulate the students to their best efforts.

The following is a historical list of the college faculty from its beginning until now, in the order of their appointment: Drs. Ebenezer Emmons, James H. Armsby, David M. Reese, Alden March, Henry Greene, David M. McLachlan, Amos Dean, Esq.; Drs. Thomas Hun, Gunning S. Bedford, James McNaughton, Lewis C. Beck, T. Romeyn Beck, Howard Townsend, Ezra S. Carr, J. V. P. Quackenbush, Charles H. Porter, G. F. Barker, Jacob S. Mosher, S. O. Vanderpoel, James E. Pomfret, John V. Lansing, H. R. Haskins, Albert Van Der Veer, E. R. Peaslee, Meredyth Clymer, W. P. Seymour, George T. Stevens, John M. Bigelow, Maurice Perkins, Ira Harris, Esq., LL.D.; Drs. Willis G. Tucker, William Hailes, H. E. Webster, M. A., Drs. John Swinburne, Lewis Balch, Samuel B. Ward, John P. Gray, Edward R. Hun, James P. Boyd, Jr., C. S. Merrill, S. O. Vanderpoel, Jr., Franklin Townsend, Jr., Frederic C. Curtis and Henry Hun. Of these a few had but a short connection with the institution, and a few were non-residents of this city.

On the present faculty are: Dr. Thomas Hun, LL.D., Dean, and Dr. S. O. Vanderpoel, LL.D., both Emeritus Professors; Dr. Albert Van Der Veer, *Surgery*; Dr. Maurice Perkins, *Chemistry*; Dr. John M. Bigelow, *Materia Medica*; Dr. Lewis Balch, *Anatomy*; Dr. Samuel B. Ward, *Practice of Medicine*; Dr. John P. Gray, *Psychological Medicine*; Dr. James P. Boyd, *Obstetrics and Gynecology*; Dr. Willis G. Tucker, *Chemistry*; Dr. William Hailes, *Histology*; Dr. C. S. Merrill, *Diseases of the Eye and Ear*; Dr. Franklin Townsend, *Physiology*; Dr. Frederic C. Curtis, *Diseases of the Skin*, and Dr. Henry Hun, *Nervous Diseases*. Dr. Henry March is Curator of the Museum, Dr. E. Van Slyke, Demonstrator of Anatomy, and Dr.

S. R. Morrow, Lecturer on Surgery. Dr. A. L. Carroll, Secretary of the State Board of Health, has also delivered a course of lectures on Hygiene. Most of the faculty are connected with one or more of the hospitals of the city. In years past summer courses of lectures have been given, at which many of the physicians of the city have assisted the regular faculty. These are now suspended, and the regular course of six months lasts from early in September till March. The Curators of the College are: Drs. Samuel H. Freeman, William H. Craig and Norman L. Snow, of Albany, Dr. James D. Featherstonhaugh, of Cohoes, and Dr. Barent A. Mynderse, of Schenectady.

The college owns a valuable library, particularly rich in rare old works, much of which was selected by Dr. T. Romeyn Beck. It has laboratories that are extensive and complete, having been recently rebuilt. Alumni Hall, a wing of the college, is a gathering place for all medical organizations, its walls being covered with portraits of members of the County Medical Society. There is a large Alumni Association, holding annual meetings on commencement days, through whose members the college gets much of its patronage.

The Albany College of Pharmacy is another medical institution that deserves mention. Like the Medical College, it is a department of Union University by the Board of Governors of which it was created in 1881. Its course extends over two years, lectures being given in the evening. It is required of the students to spend four years with a reputable pharmacist. The faculty consists of Dr. Willis G. Tucker, Dr. A. B. Huested and Mr. G. Michaelis. The late Dr. Mosher was connected with it up to the time of his death.

Albany is fortunate in the possession of several hospitals, a fact which speaks well for its benevolent spirit. Reference has already been made to the military hospitals. The Albany Hospital was founded in 1849. For the first few years it occupied buildings on the corner of Madison avenue and Dove street. In 1854 the present fine building on Eagle street near the Medical College was secured for it, having been used as a county jail till then, and remodeled at a cost of over twenty thousand dollars. This was largely due to the unremitting efforts of Dr. James H. Armsby, to whom more than any other citizen Albany is indebted for its educational and benevolent institutions. He gave his professional services to the hospital during his life, and raised over one hundred thousand dollars for it by personal applica-

tion. In 1872 a large addition was built, and with numerous and costly improvements since it has been made one of the most perfect hospitals possible, with accommodation for about 150 patients. It has as an especial feature a large number of private rooms, respectively fitted up by and named after the various Protestant churches in the city, and no hospital in the country is so homelike to those so unfortunate as to need its care. Patients taking private rooms may be attended there by their own physicians. It is under the care of a board of fifteen governors, who are elected annually by the members of the corporation, a gift of fifty dollars entitling the donor to a vote for life. It is supported by private contributions, by the income of an endowment fund and from the rent of private rooms, and by the payment from the city and county towns for the care of the sick. The present staff of the hospital consists of Dr. Thomas Hun, consulting physician; Drs. Samuel H. Freeman, Joseph Lewi, John M. Bigelow and Samuel B. Ward, attending physicians; Drs. Albert Van Der Veer, William Hailes and Norman L. Snow, attending surgeons; Drs. Cyrus S. Merrill and Herman Bendell, eye and ear surgeons; Dr. William H. Bailey, obstetrician; Dr. James P. Boyd, gynecologist, and Dr. Frederic C. Curtis, diseases of the skin. The hospital has a dispensary for the care of outpatients, to whom advice and medicines are furnished gratuitously. It is open daily. Several thousands are thus treated yearly.

St. Peter's Hospital was opened in 1869, in the building on the corner of Broadway and North Ferry street, which was for many years occupied by Stephen Van Rensselaer, son of the late Patroon. This building has been much enlarged by more recent additions. It is in charge of the Sisters of Mercy, with the co-operation of an advisory board of forty gentlemen. Being near the railroads, it receives a great many cases of accident. It has also a dispensary for out patients to which many, not only from the city but from neighboring counties, come for treatment, not less than twenty-five thousand persons having been treated gratuitously there since it was opened. The staff of physicians consists of Dr. Thomas Hun, Samuel B. Ward and Daniel V. O'Leary, consulting physicians; Drs. A. Van Der Veer and Lewis Balch, consulting surgeons; Drs. Henry Hun, Selwyn A. Russell and T. Kirk Perry, attending physicians; Dr. S. R. Morrow, P. J. Keegan and William Hailes, attending surgeons; Dr. J. M. Bigelow, laryngoscopy and throat diseases; Drs. C. S. Merrill, G. A. Munson and T. F. C. Van Allen, ophthalmic

and aural surgeons; Drs. James P. Boyd and Franklin Townsend, obstetric surgeons; and Dr. F. C. Curtis, physician for diseases of the skin.

The Child's Hospital, one of the most effective institutions in the city, was organized in 1875. It is under the charge of the Sisters of the Order of the Holy Child Jesus. A board of lady managers has the care of its financial management. The total number of beds is 75, three of which are endowed. It is mainly supported by voluntary contributions. On its medical staff are Drs. Thomas Hun and John Swinburne, consulting, and Dr. Lewis Balch, Henry Hun and T. M. Trego, attending physicians, Dr. C. S. Merrill having charge of diseases of the eye and ear, and Dr. J. W. Cox of the homœopathic ward.

The Albany City Homœopathic Hospital was chartered in 1872, and in 1875 was consolidated with the dispensary, which was incorporated in 1868. It is under the charge of a board of managers, and its staff includes most of the homœopathic physicians of the city. The institution furnishes accommodation for 30 patients, a large part of whom are charity cases, although it has several private rooms for paying patients. Its support comes from voluntary contributions and a yearly appropriation from the city. The part that homœopathic physicians have had in our medical history will form a separate chapter.

The Alms House Hospital and Insane Asylum has capacity for the sick poor and insane of the county. It is situated at the outskirts of the city, on the grounds and under the management of the Alms House officials, Dr. R. H. Starkweather having its professional charge as city physician.

The work of the hospitals is very well supplemented by the Open Door Mission and the Hospital for Incurables, the youngest of the benevolent institutions. Their purpose is to care for the indigent sick and crippled who, being incurable, cannot be provided for by the hospitals. Besides these there are a considerable number of asylums and homes in the city which need and receive medical care.

During the century Albany has grown nearly twenty times in population, Cohoes has become a considerable city, and West Troy a large village of thirteen thousand inhabitants. Instead of a dozen physicians, mostly dwelling near the site of Old Fort Orange, there are now not less than one hundred and seventy-five throughout the county. There is hardly a specialty in medicine which is not ably and abundantly represented here. These, with the hospitals, the medical school, the medical

journal, the exceptionally central and accessible location of the city, and a body of general practitioners of as high character and capability as any in the country, have made Albany the metropolis and center for an extensive territory. No locality is more free from empirics than is this city and county of Albany; there is none in which the *esprit du corps* of the profession is better, and none in whose history and development more able and forceful medical men have borne an active part. It is an honor to be the chronicler of so good representatives of a profession which is one of the most useful in the elements of human weal and advancement. Lack of space has prevented the mention of many who should be spoken of and of the high offices that have been held; but enough has been detailed to show the very considerable part the profession has taken in bringing this old place to its good position in history. However rapidly Albany may grow in the future, its past and present gives evidence that the medical profession will keep pace with it in strength, energy and capacity.

#### HISTORY OF THE INTRODUCTION AND PROGRESS OF HOMŒOPATHY IN ALBANY COUNTY.

BY H. M. PAINE, M. D., OF ALBANY, N. Y.

This historical sketch embraces:

I. History prior to the organization of the County Homœopathic Medical Society.

II. History subsequent to the organization of the Albany County Homœopathic Medical Society.

III. Abstracts of the Proceedings of the Society, showing titles of papers and contributions to medical science; also the position of the society regarding the polemics of homœopathy.

IV. History of the Albany City Homœopathic Hospital and Dispensary.

##### I.—HISTORY PRIOR TO THE ORGANIZATION OF THE ALBANY COUNTY HOMŒOPATHIC MEDICAL SOCIETY.

The homœopathic system of medical practice was first introduced into the City of Albany by Dr. Augustus P. Biegler, in the autumn of 1837.

At that early period only a few persons had heard of the new system, and a still smaller number of its adherents were willing to trust it in severe forms of disease. There were a few, how-

ever, who were thorough converts to the new method. Their confidence in the efficacy of homœopathic treatment was such that they adhered to it alone, even in the most rapid and dangerous diseases.

Among this class of firm believers in the new system, the name of Rev. Dr. Myers, pastor of the First Lutheran Church, deserves special mention. The reverend doctor, at that early day, had procured from Leipsig a number of homœopathic remedies and a small book, printed in the German language, giving directions for the proper administration of the medicines.

By these firm believers in homœopathy Dr. Biegler was cordially welcomed and zealously supported, and the system he represented, by turn earnestly advocated and fearlessly defended.

Dr. Biegler was born in Prussia; he resided, at the time of graduation from the University of Berlin, at St. Wendel; his diploma is dated March 29, 1832, and bears the signature, among others, of Christian G. Hufeland. He received letters of recommendation from Dr. Hufeland and others to professors in another German university, in which also he pursued medical studies subsequent to his graduation at Berlin.

He began the practice of homœopathy at Albany in November, 1837. In the next year (1838) he passed the requisite examination, and was admitted to membership in the Medical Society of the City and County of New York.

Dr. Biegler remained in Albany until the spring of 1840, when he removed to Schenectady, and in the autumn of that year became a permanent resident of Rochester, Monroe County, N. Y.

During this journey westward, which occupied several months, Dr. Biegler delivered lectures on homœopathy in the principal cities along the route. These lectures awakened great interest in the new system, and resulted in the addition of many converts to the homœopathic method of medical treatment.

Late in the autumn of 1840 Dr. Biegler left Rochester for the purpose of visiting Hahnemann, at Paris. He remained at that city about one year. As a testimonial of esteem, Hahnemann presented him with a beautiful carnelian stone ring, on which a profile of the head of Hahnemann was engraved; also a lock of his own hair, with a note from Madame Hahnemann.

After his return to this country Dr. Biegler resumed practice at Rochester, where he remained until his death, which occurred in 1849, at the age of 59 years. Dr. Biegler enjoyed the rare oppor-

tunity of a long personal acquaintance with Hahnemann.

Soon after Dr. Biegler's advent Dr. Rosenstein established himself at Albany. The two physicians formed a partnership in business, which was terminated in a few months by the removal of Dr. Rosenstein from the city.

Dr. Biegler was succeeded, in the spring of 1840, by Dr. Charles Frederic Hoffendahl. Dr. Hoffendahl was born, June 28, 1799, at New Brandenburg, in Mecklenburg-Strelitz. He began medical studies at the age of seventeen years, at the St. Joseph's Academy of Vienna, a training school for military surgeons.

In 1820, having passed his examination, he was attached to an Austrian infantry regiment (entitled Wurtemberg) and accompanied it during a campaign in Italy. He then, in 1828, finished his studies and obtained his degree at the Medical University of Berlin.

It is probable that he became a homœopathic practitioner soon after graduation, having previously acquired a knowledge of homœopathy while in the Austrian army, through the kindness of Regimental Surgeon Schmidt.

Dr. Hoffendahl came to this country in 1837, and settled at Philadelphia, where he remained until 1840, when he became a resident of Albany. He remained at Albany two years, and then, in 1842, removed to Boston, Mass., where he died, April 24, 1862, at the age of sixty-three years.

In 1841 Dr. Isaac M. Ward, of Newark, N. J., came to Albany. After a very successful and remunerative practice of seven years, he retired to New York in the autumn of 1847. Dr. Ward has long since retired from active practice. He resides (1885) at Elizabeth, N. J.

Dr. Charles H. Skiff came to Albany in 1842. Dr. Skiff was born at Spencertown, Columbia County, N. Y., May 12, 1808. The greater part of his boyhood was spent with his grandfather, Nathan Skiff, on Skiff Mountain, in the town of Kent, Litchfield County, Conn. He was graduated from the Berkshire Medical College, at Pittsfield, Mass., September 5, 1832.

After the death of a dearly beloved daughter and a severe illness of his own, during which he obtained evidences of the practical superiority of the new over the old method, he fully adopted the homœopathic system.

He remained at Albany less than one year, and thence, in the fall of 1843, removed to New Haven, Conn., where he resided, with the exception of two years spent at Brooklyn, N. Y., to

the time of his death, in 1875, at the age of sixty-seven years.

He was the first physician to practice homœopathically at New Haven; he was one of the founders of the Connecticut State Homœopathic Medical Society, and also one of the original members of the American Institute of Homœopathy.

Dr. Henry D. Paine came from Newburgh, Orange County, to Albany in 1845. He formed a partnership in business with Dr. I. M. Ward. The partnership continued two years, and was terminated by the removal of Dr. Ward to New York. Dr. Paine removed from Albany to New York in the spring of 1865, where he is still (1885) participating in professional duties.

Dr. E. Darwin Jones began the practice of homœopathy at Albany in the spring of 1846. He had been an old-school practitioner several years. On a careful and thorough investigation of the homœopathic system, he became convinced of its superiority, and immediately adopted it in practice. At the present time (1885) Dr. Jones is still engaged in active practice at Albany.

Dr. David Springsteed had also been an old-school physician several years. He was induced to read homœopathic publications, and to test the utility of homœopathic remedies in certain diseases. After a prolonged examination, involving many practical experiments, in the spring of 1846, he openly announced himself a convert to the new system. Dr. Springsteed then resided in the town of Bethlehem, Albany County. He removed to the city of Albany in 1861.

By reason of advanced age, in 1880, he retired from active practice and removed to Saugerties, Ulster County, and subsequently, in 1882, to Brooklyn, N. Y., where at the present time (1885), although feeble in bodily strength, he is enjoying the evening of life in the possession of all his mental faculties.

Dr. John Alsop Paine began practice at Albany in January, 1847. Dr. Paine was born at Whites-town, Oneida County, N. Y., July 10, 1795. He received an academical education at Clinton, Oneida County, N. Y., and was graduated from the Medical Department of Yale College in the spring of 1825.

In the course of his long and eventful career he engaged successfully in practice in Volney, Oswego County; Paris, New Hartford and Utica, in Oneida County, N. Y., and Newark, N. J., from which place he removed to Albany. He remained six years in Albany, and died at Lake Forest, Ill., June 16, 1871, in the 76th year of his age.

He practiced the old-school system prior to the year 1844, at which time, being detained several weeks at Albany for the purpose of giving evidence in a suit to recover damages for injuries received in this city by a patient who had been a long time under his care, he availed himself of the opportunity thus afforded for witnessing the application of the new system, as illustrated by the practice of Dr. I. M. Ward, at that time a resident of Albany.

On returning to his home at New Hartford, he at once instituted a series of trials, at first in cases in which the usual old-school remedies had failed. These tests resulted in demonstrating to his entire satisfaction the availability of a method having a far wider range of application—one opening up a greater wealth of resources in its applicability in the treatment of even the most dangerous and rapidly fatal diseases—than any he had hitherto witnessed. These advantages he quickly perceived and speedily availed himself of in daily practice, and held to them during the remaining years of his professional life with singular tenacity, seldom, except under the most urgent necessity, ever resorting to old school palliative or alterative treatment.

Dr. Paine was elected to a number of official positions in connection with the medical associations, old-school and new, in which he held membership.

He was a skillful and successful physician; he was genial in disposition, judicious and exemplary in his daily life. His influence over his patients was marked by characteristic cheerfulness, hopefulness and unusual urbanity of manners. His presence in the sick room was often an inspiration, prompting a faithful co-operation in the use of the remedial measures suggested.

He manifested decided originality in determining the active as well as the predisposing causes of disease; hence his opinion regarding the diagnosis of difficult and obscure cases was frequently desired by his professional associates.

Dr. Henry Adams, son of Dr. Peter C. Adams, was born at Coxsackie, N. Y., July 6, 1787. He pursued the study of medicine under the supervision of his father, and was admitted to practice in the twenty-first year of his age.

During the war of 1812 he was appointed surgeon in the American army, and was stationed at Sackett's Harbor, N. Y. At the close of the war he returned to Coxsackie and resumed practice.

About the year 1846 he was persuaded to investigate the claims of homœopathy, and was not slow to accept its principles as an improvement upon the old method. His confidence in the new system never wavered.

He came to Albany in 1848, remaining two years. He removed to Cohoes in 1850, where he resided to the time of his death, which occurred July 6, 1857, on his seventieth birthday.

He possessed great individuality and originality of method. He was firm and positive in his convictions, and pursued a course, once decided on after mature deliberation, with untiring perseverance. He was a man of few words. His thoughts and opinions were expressed in strong, terse language and laconic sentences.

Dr. Horace M. Paine, son of Dr. John A. Paine, was graduated from the Medical Department of the University of the City of New York, in March, 1849. He at once began practice in Albany, remaining until 1855, when he removed to Clinton, Oneida County, N. Y., where he resided until 1865, returning that year to Albany.

Prior to the year 1849 the accessions to the ranks of homœopathic practitioners were from among those who had been previously engaged for several years in old-school practice. Dr. Paine was the first young physician who began the practice of homœopathy immediately after graduation.

Dr. Paine at the present time (1885) is a resident of Albany, and is engaged in active practice.

In 1851 a physician by the name of Brooks came to Albany. He had been an old-school practitioner fifteen or sixteen years, and had recently become a convert to the new system. He remained at Albany two or three years, and then removed elsewhere.

Dr. William H. Randel was graduated, in the spring of 1851, from the Medical Department of the University of the City of New York, and immediately thereafter began the practice of homœopathy in Albany.

Dr. Randel visited Europe in 1867, and spent a greater part of a year in observing the results of treatment adopted in the principal hospitals in England and on the Continent. He is still (1885) a resident of Albany, and is engaged in active professional duties.

Dr. James W. Cox was graduated, in the spring of 1852, from the Albany Medical College, and at once began the practice of homœopathy in Albany. He entered into partnership in business with his former preceptor, Dr. Henry D. Paine. The partnership continued seven years, and was then dissolved by mutual consent. Dr. Cox subsequently formed a partnership with Dr. John S. Delavan. Dr. Cox is, at the present time (1885), engaged in practice in Albany.

Dr. C. G. Bryant was graduated, in the spring of 1852, from the Albany Medical College. He associated himself in business with his former preceptor, Dr. D. Springstead. He remained one year in Albany, and then removed to San Francisco, where he died in 1866.

Dr. Lester M. Pratt, of Fulton, Oswego County, N. Y., came to Albany in August, 1854. He was graduated in the spring of that year from the Homœopathic Medical College of Philadelphia. He formed a partnership in business with Dr. H. M. Paine, which continued one year, and was terminated by the removal of Dr. Paine to Clinton, Oneida County, N. Y. Dr. Pratt has, on two occasions, entered into partnership with Dr. John S. Delavan. Dr. Pratt, at the present time (1885), is engaged in active practice at Albany.

Dr. George H. Billings was graduated from Castleton Medical College in 1857, and the same year began the practice of homœopathy at Cohoes. He remained at Cohoes seven years, and then removed to Brooklyn. He returned to Cohoes in 1870, where he is now, in 1885, engaged in active professional duties.

These seventeen physicians, the pioneers of our school in Albany County, espoused the homœopathic system when its very name was, in the estimation of the dominant school, a synonym of reproach, and, as indicative on the part of the homœopathist, of a deficiency of sound judgment. Homœopathists were regarded as visionary in their conceptions and superficial in their attainments. Many of the pioneers of homœopathy, however, were men of profound learning; they were ripe scholars, and were in full possession of all those mental qualities required for originality of thought and independence of action.

At that early day the opposition to homœopathy was intense. The intimation of the slightest predilection toward the new system was sure to cover the offender with obloquy, and ultimately result in almost complete professional ostracism. The homœopathist was speedily expelled from the medical organizations to which he belonged, and was henceforth debarred all professional fellowship with his former medical associates. Hence, to break away from esteemed friends, and to exclude one's self from the fellowship of those whose aid would be frequently extremely desirable, was a test of courage and self-reliance to which few were willing to subject themselves.

It has been repeatedly asserted that the early homœopathists renounced the old-school system of practice on account of the probable pecuniary ad-

vantages to be gained thereby. The pioneers themselves, however, are conscious of being uninfluenced by mercenary motives. They adopted the homœopathic system only after repeated trials had proved its superior curative advantages, and they adhered to it in the confident expectation that these points of intrinsic excellence would ultimately establish its claims for public recognition and general adoption.

They broke away from—nay, rather were driven out of—the old-school because they believed that they could more effectively serve the public; they were confident of accomplishing better results in practice; of saving a larger proportion of human life, and of contributing to the diminution of the duration and intensity of diseases which afflict mankind. Whether their reward would come during their life time they could not foretell; but of its coming at some future day they had no reason to doubt.

And when they relinquished the old method it was a radical and entire separation. Indeed, the completeness of the renunciation of old-school methods is a marked characteristic of many of the earlier converts to homœopathy. They appeared to have a morbid dread of even an occasional resort to the milder cathartics and narcotics, which the younger homœopathists—those who have had a shorter practical knowledge of the old methods—have never experienced.

When they gave up the old system, they renounced it wholly; when they adopted the new, there was no reservation at any point in favor of the old. There was no blending of the two opposite systems. The new method, to them, seemed to act more in harmony with natural conservative forces, hence was considered preferable in all curable diseases.

A review of the work accomplished by these pioneers of our school in Albany County, even at this early period, shows that their confidence in the new system was well founded, and that we are, at the present day, measurably enjoying the fruition of their self-sacrificing labor.

Nine of the seventeen are still living, and with one or two exceptions all are engaged in the active duties of professional life.

## II.—HISTORY SUBSEQUENT TO THE ORGANIZATION OF THE ALBANY COUNTY HOMŒOPATHIC MEDICAL SOCIETY.

The development and progress of the homœopathic school is indicated, approximately at least, by the growth and influence of the number and

standing of its public and private institutions. The history of the society and cognate organizations, therefore, marks the advances and resources of the school and measures the degree of public approval and adoption of its system of therapeutics.

The Albany County Homœopathic Medical Society was organized at Albany, January 24, 1861, twenty-four years ago. It was organized under the provisions of a general law authorizing the formation of county homœopathic medical societies, passed in 1857.

The names of the members of the society are as follows:

- 1861. Dr. David Springsteed, Albany, 1861, 1862.
- 1861. Dr. Henry D. Paine, Albany,
- 1861. Dr. E. Darwin Jones, Albany, 1863.
- 1861. Dr. Lester M. Pratt, Albany, 1864, 1878, 1884.
- 1861. Dr. James W. Cox, Albany, 1867, 1882, 1883.
- 1861. Dr. William H. Randel, Albany, 1865.
- 1862. Dr. J. Savage Delavan, Albany, 1866.
- 1864. Dr. William S. Baker, Cohoes, 1868.
- 1866. Dr. Horace M. Paine, Albany, 1874.
- 1867. Dr. Harman Swits, Schenectady, 1870.
- 1867. Dr. Joseph C. Butler, Albany.
- 1867. Dr. J. H. A. Graham, Berne.
- 1867. Dr. Heman B. Horton, Albany.
- 1867. Dr. Joseph N. White, Amsterdam, 1869.
- 1868. Dr. James F. McKown, Albany, 1877.
- 1869. Dr. George A. Cox, Albany.
- 1869. Dr. P. L. F. Reynolds, Albany, 1873.
- 1869. Dr. Nelson Hunting, Albany, 1876.
- 1870. Dr. Edward A. Carpenter, Albany.
- 1870. Dr. John Smithwick, Albany.
- 1870. Dr. Stephen H. Carroll, Albany, 1871.
- 1871. Dr. Henry G. Preston, Albany, 1872.
- 1871. Dr. Phillip I. Cromwell, Albany.
- 1871. Dr. Edward C. Howe, New Baltimore.
- 1871. Dr. John H. Fitch, Gallupville.
- 1871. Dr. Frederick W. Thomas, Albany.
- 1871. Dr. George H. Billings, Cohoes, 1879, 1880, 1881.
- 1872. Dr. D. A. Cookingham, West Troy.
- 1873. Dr. Charles E. Jones, Albany, 1875.
- 1873. Dr. Townsend Bowne, Albany.
- 1873. Dr. William E. Milbank, Albany.
- 1874. Dr. Rufus Reed, Cohoes.
- 1874. Dr. Catharine E. Goewey, Albany.
- 1876. Dr. Howard L. Waldo, West Troy.
- 1876. Dr. R. B. Sullivan, Albany.
- 1876. Dr. James J. Wallace, Albany.
- 1876. Dr. John J. Peckham, Albany.

- 1876. Dr. William H. Van Derzee, Albany.
- 1877. Dr. Edwin B. Graham, Albany.
- 1877. Dr. George H. Benjamin, Albany.
- 1877. Dr. John N. Bradley, Adamsville.
- 1877. Dr. G. P. H. Taylor, Stillwater.
- 1878. Dr. William H. Griffith, Albany.
- 1878. Dr. Gertrude A. Goewey, Albany.
- 1879. Dr. Mary G. Pomeroy, Albany.
- 1879. Dr. George E. Gorham, Albany.
- 1882. Dr. Edward L. Crandall, Albany.
- 1882. Dr. Robert Kennedy, Green Island.
- 1884. Dr. Walter F. Robinson, Albany.

The first seven names are those of the original members and founders of the society, those who were present at its first meeting or united with it during the first year of its existence; the figures at the right indicate the date of election to the presidency; those at the left, the date of election to membership in the society.

Of the founders of the society, all are still living, and, with one exception, all are engaged in practice. Of the remaining forty-three, all, except four or five, are living, and are at the present time (1885) participating in the duties and bearing the responsibilities of professional life. Of the whole number, nineteen are residents of and active practitioners in Albany County.

### III.—ABSTRACT OF THE PROCEEDINGS OF THE SOCIETY, SHOWING TITLES OF PAPERS AND CONTRIBUTIONS TO MEDICAL SCIENCE; ALSO THE POSITION OF THE SOCIETY REGARDING THE POLEMICS OF HOMŒOPATHY.

*Abstract of Titles of Papers Presented at Meetings of the Society.*—A large proportion of the reports of scientific work accomplished by resident homœopaths has been published in books or widely separated medical journals, hence no list showing, even approximately, the number and quality of these papers is obtainable. Neither do the records of the society furnish evidence of a title of the contributions to current medical literature. Reference to the more prominent, however, of the papers and reports presented from time to time and read at its meetings show a wide range of investigation, and results extracted from rich mines of practical clinical experience. They are as follows:

*Diseases of the Throat and Air Passages.*—Carbolic acid in the treatment of chronic laryngitis, April, 1867; nasal catarrh treated by inhalations, August, 1870; hay fever, September, 1871; chronic catarrh of the air passages, January, 1872; pneumonia, October, 1874; croup and diphtheria differentially considered, December, 1876; malignant

diphtheria, July, 1883; chronic tonsillitis, April, 1884.

*Diseases of the Pelvic Organs.*—Improved form of speculum, January, 1867; carbolic acid in the treatment of ulceration of the os uteri; for the relief of leucorrhœal discharges, and for chronic cystitis, April, 1867; fissure of the rectum, January, 1870; intra-uterine treatment by means of medicated suppositories, August, 1871; spermatorrhœa, three papers, September, 1871; difficult, tedious and instrumental labors, September, 1871; puerperal convulsions, September, 1871; enuresis nocturna, December, 1871; methods of intra-uterine treatment, May, 1872; infiltration of urine into cellular tissue, May, 1873; degeneration of the placenta, July, 1882; congenital phimosis in an adult, July, 1882; hygiene and therapeutics of uterine and ovarian diseases, January, 1883; cases of spasmodic dysmenorrhœa, January, 1883; apparatus for conveniently applying the hot water douche, April, 1884.

*Cerebral and Nervous Diseases.*—Causes of insanity, September, 1871; paralysis following diphtheria, August, 1877; apoplexy, August, 1877; tinnitus aurium, July, 1882; cerebral congestion, simulating yellow atrophy of the liver, April, 1884; nervous and lung diseases, utility of erythroxylon cocoa in the treatment of, October, 1868.

*Diseases of the Skin.*—Carbolic acid applied externally for the cure of scabies, April, 1867; tænia capitis, April, 1869; varicella, April, 1878.

*General Diseases.*—Sporadic cholera, July, 1866; dropsy, cases of, July, 1867; intermittent fever, August, 1871; spinal meningitis, August, 1871; lead colic, August, 1871; osteo-sarcoma of the superior maxillary, September, 1871; local cellulitis, September, 1871; fungoid tumor, September, 1871; records of two post mortems, September, 1871; biliary calculi, September, 1871; typhoid fever, December, 1871; tumor in the region of the subclavian triangle, December, 1871; abdominal tumor, January, 1872; cerebro-spinal meningitis, April, 1872; constitutional predisposition to certain diseases, April, 1874; dysentery, April, 1874; spinal meningitis, April, 1874; record of prevailing diseases for six months, in connection with meteorological observations for the same period, January, 1877; iris versicolor, for the relief of sick headache, November, 1876; iodine in the treatment of syphilis and scrofula, June, 1877; cancer of the stomach, July, 1878; traumatic peritonitis, April, 1879; the utility of lycopus in the treatment of diabetes, April, 1879; the importance of having all plumbing work done under competent supervision,

July, 1879; the applicability of massage in the treatment of certain diseases, April, 1879; record of a post mortem, July, 1882; the use and abuse of tonics, July, 1882; the deleterious effects of feeding swine slaughter-house offal, October, 1882; typhoid fever, October, 1882; urinary analysis and Bright's disease, January, 1883; diabetes insipidus, July, 1883; typhoid fever, April, 1884; therapeutic indications for the administration of pilocarpine, June, 1877.

*The Polemics of Homœopathy.*—The contest between the old school and the homœopathic has been a long and bitter one. Homœopaths justify themselves in maintaining adherence to the tenets of their system on the ground of its superior qualities when subjected to practical tests in the treatment of disease. The old school, on the other hand, justify their hostility to homœopathy on the ground of the alleged absurdities of its principles.

Homœopaths admit that the theoretical formulas promulgated by Hahnemann, regarding the smallness of the dose and the methods by which the medicines are prepared, are strangely absurd and unreasonable; at the same time they hold that these absurdities do not in any manner represent the principles on which the homœopathic system of therapeutics is constructed. They also hold that the essential elements of homœopathy are reasonable, sound, and an exemplification of a natural law of cure.

Hence they further hold, that the measure of liberality within the old school ought to have been sufficiently broad to have afforded all the freedom required by homœopaths in the exercise of a right which every educated physician should be permitted to enjoy, to the unrestricted employment of any and all therapeutic methods extant. In short, they hold that educational qualifications alone should regulate membership and standing in medical as in other scientific associations.

Happily time has softened the asperities of the old school. Indeed, many of the objectionable features of old-school practice, which mainly, on account of their repulsiveness, forced the homœopathic system into existence, have long since been discarded, and many of the essential elements of the new system have been substituted. All are now willing to admit that the harshness of the old-school method has been greatly modified since the introduction of the homœopathic.

The history of the Homœopathic Medical Society of Albany County embraces the second quarter centennial covered by the great medico-ethical controversy of this century. Its records show that

the members of the society have been active participants in the work of securing for themselves and their system a legal status equal in every respect to that of their old-school rivals. The following extracts, selected from many of similar import; set forth the animus and purposes which have successfully controlled the active participants in the polemics of homeopathy.

The first extract is taken from a report of the proceedings of a meeting held December 9, 1873. It has reference to the refusal of the American Public Health Association to admit to its membership Dr. T. S. Verdi, a homœopathic physician, residing at Washington, D. C.

*Resolutions Protesting Against the Illiberality of the American Public Health Association.*—However undesirable it may be, we are very frequently reminded of the dissensions among medical men. The origin and progress of the contest between the two principal rival schools demonstrate the fact that all overt acts of intolerance have been perpetrated by our opponents. Homœopaths, in every instance, have acted on the defensive.

It would appear that our old school opponents intend to continue this internecine strife until compelled, by force of public sentiment, to recognize homœopathic physicians as equals, and entitled to all the amenities of professional intercourse.

The only question at issue between the representatives of the two rival schools is simply one involving a difference of opinion regarding the application of remedies in the treatment of disease. The old-school, according to the recent testimony of professors in the medical department of the University of Michigan, has "no general law" on which to base appropriate treatment. The homœopathic school, on the other hand, founds its system of practice on a well-defined and philosophical principle, which is applicable in a large percentage of curable cases; hence its superior success. \* \* \*

Homœopaths are clearly entitled to membership in the National Association. They and their friends in all parts of the country will, if necessary, throw their whole influence into this contest, and will continue to do so while necessity calls for action. The old-school fraternity may as well conclude, without unnecessary delay, that, in all public affairs, they must consider homœopaths equal with themselves in every respect, and entitled to the full enjoyment of all the rights, privileges and immunities accorded any portion of the regular medical profession.

The following resolutions were unanimously adopted :

WHEREAS, Dr. T. S. Verdi, a graduate in medicine, holding diplomas from various medical colleges, and a practitioner in good and regular standing, has been duly appointed a member of the Board of Health of the District of Columbia by the President, which appointment has been confirmed by the Senate of the United States ; and

WHEREAS, The zeal, energy and success manifested by Dr. Verdi, in the discharge of his duties as a member of the Board of Health, has received the merited respect and confidence of the people of Washington ; and

WHEREAS, His Excellency, the Governor of the District of Columbia, duly appreciating the services and integrity of character of Dr. T. S. Verdi, appointed him a special sanitary commissioner to visit European cities ; and

WHEREAS, Dr. Verdi, in the performance of said official functions, has exhibited in his recent mission to European cities unusual ability ; and

WHEREAS, Dr. C. C. Cox, President of the Board of Health of Washington, being an active member of the American Sanitary Association, has proposed the name of Dr. Verdi for membership in the same ; and

WHEREAS, Said association, at its annual convention, held in New York, November 12 to 15, 1873, declined to elect Dr. Verdi a member, for no cause except adherence to homœopathy in his private medical practice ; and

WHEREAS, Such a course must be considered arbitrary and mischievous ; therefore,

*Resolved*, That any association, the object of which is the advancement of general public interests, sanitary or otherwise, which circumscribes its boundaries of membership within the narrow limits of sects, either religious, medical or political, fails in its mission, and subverts the very principles of its existence ; is contrary to the genius of American institutions, being a direct violation of the great principles which involve the very foundation of free government, and is guilty of a course of action as pernicious in principle as it is unwise and impolitic in practice.

*Resolved*, That the American Health Association, in refusing membership to two officers of the Board of Health of the District of Columbia, appointed thereto by the President and confirmed by the Senate of the United States, as proposed by Dr. Cox, President of said Board of Health, has, by that act, subverted the advancement of sanitary reform for the benefit of the people.

*Resolved*, That Drs. T. S. Verdi and D. W. Bliss, being both federal officers, exercising their prerogatives of office for the people of the District of Columbia, their proscription from the Public Health Association is an insult to the President and people of the District of Columbia.

*Resolved*, That the unanimity of public approval in the removal of Dr. Van Aernam, late Commissioner of Pensions, for having attempted to raise the issue that adherence to a particular creed or belief should constitute a qualification for official position, clearly demonstrated the opposition of the American people to similar acts of proscription.

*Resolved*, That the American Health Association will not be entitled to receive the respect and moral support of the people of this country, until it shall have removed the present sectarian barrier to membership.

*Resolved*, That this society, as a representative of a large and respectable class of scientific medical practitioners, repels

the insult offered to the school of medicine to which it adheres, and calls upon all just and fair men to condemn the illiberal course of the American Health Association.

*Resolved*, That the Homœopathic Medical Society of Albany County tenders thanks to Dr. C. C. Cox for his manly defense of the rights of men before the American Public Health Association, and for his scathing denunciation of partisanship and sectarianism.

*Resolved*, That we respectfully request the members of Congress from this State to approve the legal recognition of the American Health Association, only when convinced that the articles of incorporation embrace a provision prohibiting the exclusion of members on account of adhesion to any preferred theory of medical treatment.

*Resolutions Advocating Equal Representation of Old-School and Homœopathic Physicians in a State Board of Health.* WHEREAS, Strenuous efforts have been made during the past few years to enact a law creating a State Board of Health, so constructed as to provide for the appointment in said board of old-school physicians only ; and

WHEREAS, No good reason exists why the control of all the sanitary affairs of the State should be intrusted to one school of physicians, to the exclusion and detriment of another ; and

WHEREAS, Such exclusive control would indirectly establish a sectarian medical monopoly ; therefore,

*Resolved*, That while we earnestly advocate the enactment of such sanitary measures as have for their end the prevention of diseases and lengthening of human life, we earnestly protest against the passage of any health bill, providing for the appointment of medical men, which does not recognize an equal numerical representation by name of the two dominant systems of medical practice.

*Resolved*, That we cordially assent to, and respectfully request the passage, by the next State Legislature, of a law securing equal representation from both the old-school and homœopathic schools of medicine.

*Resolved*, That copies of these resolutions be forwarded to State officers, members of the legislature, officers of State and County medical societies and their legislative committees ; also, to the committee on Legislation of the American Institute of Homœopathy.

#### IV.—HISTORY OF THE ALBANY CITY HOMŒOPATHIC HOSPITAL AND DISPENSARY.

Two public charitable institutions, a hospital and a dispensary, now united and maintained as a single organization, have been opened and successfully conducted by the homœopathic profession of Albany.

A proposition to open a public homœopathic free dispensary was first made at a meeting of the Albany County Homœopathic Medical Society, held early in the year 1865. During the following two years various plans were offered and an interest in the subject was sustained, which culminated, in the fall of 1867, in the establishment of a free dispensary, at that time the only public institution in Albany for furnishing gratuitous medical service and medicines to those who choose to avail themselves of its advantages.

Since the organization of the dispensary, seventeen years ago, it has gratuitously afforded medical and surgical aid to more than sixty thousand applicants. It is, at the present time (1885), in as flourishing a condition as at any period since its establishment, the number of prescriptions ranging from three to five hundred per month.

The dispensary service soon revealed the fact that many of the applicants required hospital accommodations. With a view, therefore, of enlarging its usefulness, and placing its work and operations upon a permanent foundation, a building was purchased in the summer of 1872, and supplied with the requisites for both dispensary and hospital uses. The building at first selected having been found undesirable, in 1875 a larger and more suitable one was provided.

The present hospital and dispensary building is centrally and conveniently located at 123 North Pearl street; is large and complete in its appointments, and is provided with all suitable appliances for accommodating upward of fifty patients.

There are enrolled upon its staff the names of all the resident homœopathic physicians in Albany, and in addition thereto, two of Albany's ablest old-school surgeons; a fact which clearly indicates the obliteration of sectarian barriers to unrestricted professional fellowship.

The resources of both the hospital and dispensary are derived from sums appropriated by the city government and from private sources. Although these institutions are incumbered with a debt of several thousand dollars, the income has been hitherto sufficient to meet all claims for current expenses.

#### ALBANY CO. ECLECTIC MEDICAL SOCIETY.

In compliance with the act for the incorporation of the Eclectic Medical Society of the State of New York, which was incorporated April 24, 1865, and by the written advice of the honorable secretary of that body, under date of May 19, 1874, and in pursuance of a cordial invitation, the friends of medical reform assembled at the office of Dr. Robert Liston, in the City of Albany, June 1, 1874, to organize a County Eclectic Medical Society, auxiliary to the Eclectic Medical Society of the State of New York. Dr. R. Liston was appointed to the chair, and Dr. John Wilson, secretary. The constitution of the State Eclectic Medical Society was read and approved, and a constitution and by-laws were presented and adopted. After signing

these papers, the following officers were elected for the ensuing year :

President, R. Liston, M. D.; Vice-President, J. T. Johnson, M. D.; Secretary, N. S. Dean; Treasurer, Dr. W. S. Filkins. The secretary was ordered to file in the County Clerk's office a copy of these proceedings, with a list of the 17 corporate members.

The County Society presented a petition to the State Society at its meeting, October 22, 1874, for recognition as an Auxiliary Society, signed by R. Liston, M. D., S. J. Birch, M. D., J. F. Neef, M. D., which was granted on the same day.

The regular meetings now are four in each year, on the first Thursdays in January, April, July, October. Membership now is 23. Of these, the following practice and reside in Albany County :

A. Cullen, West Troy.  
James Douglass, West Troy.  
Morgan L. Filkins, Albany.  
Welcome L. Filkins, Albany.  
Isaac Finch, Rensselaerville.  
Jacob F. Neef, Albany.  
Gustave B. Schill, Albany.  
John H. Wilbur, Cohoes.  
John Wilson, Albany.

#### FEMALE PHYSICIANS.

The practice of medicine in Albany by females properly educated dates in 1873, only 12 years ago. Up to about that time, the prejudice, not only of most male physicians, but of the people generally, was very strong against them. But the few who have settled in practice have come so well prepared, and have pursued their work so courageously, and yet so modestly and skillfully, that they have disarmed prejudice and taken respectable rank in the profession and in society.

Dr. Mary DuBois was born in the State of New York. She was reared in affluence and in the enjoyment of educational advantages of the highest order. In 1870, she received her degree of M. D. at the Woman's College in Philadelphia. The two years following she spent in a Boston hospital as house physician. She came to this city in 1873, where she has ever since been actively engaged in an extensive practice.

Dr. Catherine E. Goewey came soon after, and has secured a valuable practice in the homeopathic school by her skill and energy. She is a native of this State, and graduated from the Woman's Homœopathic College in New York City.



Dr. Harriet A. Woodward is of English descent, sprung, as it were, from a family of doctors, her grandfather and three uncles having been educated in medicine at Oxford University, Old England. The doctor was born in 1840, in Hector, N. Y., and early received a thorough training in the usual English branches and some of the higher branches, with Latin. She has always cultivated a fondness for history and natural science. In 1868 she began the study of medicine under the direction of Dr. A. B. Smith, of the Hygienic Institute, Geneva, N. Y. In 1872 she entered the College of Physicians and Surgeons at the Syracuse University, where she graduated in 1875, with honors. She came to Albany the same year; was admitted to membership in the County Medical Society; also to the Academy of Medicine, where she held office for two terms, first as secretary, then as treasurer; was also one of the Board of Censors, in the County Society, and delegate to the American Medical Association. She stills holds her membership in the society, and is in active and successful practice in her chosen profession.

Dr. Laurentine Rouchel was born in France, in 1846; came to the United States with her parents when very young; received her early education in the district schools and in the Lowville Academy. Tuition in the French and German she received from private native teachers, and speaks both languages fluently. She began the study of pharmacy and medicine in 1879, in St. Elizabeth's Hospital, Utica, N. Y., under the direction of Dr. Edwin Hutchinson, surgeon in charge of the institution; continued her studies under the direction of Dr. John F. Oakes, of Rochester; then graduated from the Medical Department of the University of Buffalo. She began the practice of medicine in Croghan, Lewis County, and has continued the same in this city since 1881.

Dr. Anna Goewey practiced here some five years ago; then went to New York. Mrs. Carr is now in practice here as a homœopathist.

#### JEPHTHA RICHARD BOULWARE.

JEPHTHA RICHARD BOULWARE, a distinguished physician and surgeon of Albany, was born in Franklin County, Kentucky. His parents, whose ancestors came from Scotland, were both natives of Virginia. His father, the Rev. Theodrick Boulware, was a Baptist clergyman, well known in the churches of his denomination in Kentucky, Illinois and Missouri. He was an earnest and consistent Christian and a devoted pastor, appreciating fully the dignity of his office, and causing

it to be respected by those with whom he associated. He was for a time the settled pastor of a church, and for many years a circuit preacher in the three States mentioned above, performing the varied duties of a clergyman with a hearty willingness and an intelligent discretion that savored rather of the apostolic age than of the nineteenth century. During these years of earnest work, he never received—it being inconsistent with his principles to receive—a single cent for his clerical labors. He was a man of strong and original mind and an earnest character, forcible in the expression of his ideas and fond of theological controversy. He led a life of almost puritanic simplicity, combining religious fervor with practical sagacity, having a wise care for the things of this world, as well as of the next. He accumulated a handsome property, and died at the advanced age of eighty-seven years, loved and respected by all who knew him.

Of his three daughters, the eldest married Joseph Hansbrough, a bold and successful merchant of Independence, Missouri. The second daughter was not married; she died soon after arriving at the age of womanhood. The youngest daughter married Joseph S. Rogers, a wealthy and enterprising farmer and stock-breeder in the "blue-grass region" of Kentucky.

Of his six sons, three were enthusiastic farmers who earnestly devoted themselves to agricultural pursuits and stock raising.

The second son became a physician, practicing his profession in New Orleans, La. He soon acquired a lucrative practice, but died while a comparatively young man. The sixth and youngest son is a distinguished lawyer, still living in Missouri, noted for his eloquence and persuasive power with a jury.

The fourth son was Jephtha R. Boulware, the subject of this sketch, who, with the restless spirit of many young men, left his comfortable home and the easy life of a school boy, and wandered forth without any very definite aim, excepting to see the world and make a place for himself in it. He had received a liberal education so far as the schools of his neighborhood afforded, besides careful instruction from his father. For a boy of his years he was intelligent and well informed, but he soon found a marked difference between a life in a home of plenty and an existence dependent for its continuance upon his own labor. Young in years and slight in form, without a trade, unused to severe labor, he had to accept such various employments as he chanced to find and was capable of performing.

For a short time he worked as a farm laborer, but ultimately attended the Rock Spring Seminary, in Illinois, and soon taught school, in which pursuit he was so successful that in four years after leaving his father's house he returned to it in a reasonably prosperous condition.

After remaining home a year, devoting his time to study, he again went forth and resumed the occupation of a school teacher. While teaching, he became interested in phrenology, and carefully

perused the works of Combe, Spurzheim and other writers upon that subject. His interest in this science led him to a thorough study of the anatomical structure of the human brain, and eventually led to his becoming a physician. Though successful as a teacher, he again returned home, at the solicitation of his father, who gave him "a farm and hands," letting him take his choice out of half a dozen farms. He then married and settled down, applying himself to agricultural pursuits for a few years. He married Miss Sarah J. Kidd, the eldest daughter of Mrs. Hannah Kidd, at Nashville, Washington County, Illinois. Seldom has wedded life proved more satisfactory than in this instance. Dr. Boulware has often said that the success, both professional and financial, which he attained in after life, was due to the patient, inspiring and cheerful influence which he received from his wife. She was his support and helpmeet in adversity and a patient, loyal companion in prosperity. Their union was blessed with two children, Theodrick K. Boulware and Hannah J. Boulware. Theodrick, on completing his general education, began the study of law in the office of Rufus W. Peckham and Lyman Tremain, both eminent lawyers of Albany. The former was for many years one of the Justices of the Supreme Court of the State of New York, and afterward a Judge of the Court of Appeals. The latter declining judicial honors, was Attorney-General of the State, and among the most distinguished advocates of the country. Theodrick also, studied in the Albany Law School, and was admitted to practice on graduation, after examination by the professors in that institution; but, declining to enter the profession in that way only, he presented himself before the committee appointed by the Supreme Court of the State, and after examination was admitted to practice. He was a young man of sterling character, modest and unassuming. His mental characteristics, his good habits and earnest application, made it apparent that he would distinguish himself in his chosen profession. But soon declining health made it evident that his own and his parents' hopes were to be blighted. He accepted the inevitable with characteristic calmness, and after lingering a few years, died, respected and beloved by all.

Hannah married John A. Richardson, a manufacturer. Her husband's health gradually became impaired, a result of his exposure as a Union soldier in the war of the Rebellion, as well as by his persistent devotion to business. After a few years he retired from business, and has since resided most of the time at the South, seeking to regain his health.

Dr. Boulware, a few years after his marriage, removed to Albany, N. Y., which place has since been his home, and where he now stands in the front rank of the medical profession, both as a physician and a surgeon. By teaching school and by working at various mechanical employments, in which he was successful, although he never served any apprenticeship, he secured sufficient funds to support his family and to systematically pursue the study of medicine.

He was graduated from the Albany Medical College in 1859. His earnest and intelligent interest in medicine secured for him, early in his student life, a warm friend in Professor Howard Townsend, M. D., who encouraged him by personal attention and advice, and gave him free access to his large professional library, of which great use was made by him to his manifest profit, at a time when his pecuniary circumstances did not allow him to purchase the rarer and more expensive medical works. During two winters he also pursued the practical study of analytical chemistry in the laboratory, under the instruction of Professor Charles H. Porter, M. D. The late Hon. William Cassidy, LL. D., was another distinguished and influential friend who took an active interest in the young physician's success, and, upon his recommendation, Dr. Boulware was appointed to several medico-political offices, that not only supplied him with some money, but also gave him, what he regarded as more important, opportunities for increasing his professional knowledge.

For several years in his student and early professional life Dr. Boulware was in charge of the Albany County Hospital for the Sick and Insane. He made its great clinical resources yield him a rich harvest of positive knowledge by the thorough system of careful observation which he at once adopted and diligently pursued.

It was his custom in each case under his care to write down the diagnosis, with a minute record of all the symptoms observed, and when a death occurred he made a careful autopsy, comparing the pathological conditions with his previous notes. In this institution, and during his earlier professional life, he made for himself and others, and for legal purposes, over four hundred elaborate *post-mortem* examinations, and carefully dissected several hundred human brains. His unwearied attention to his business, his sagacity and common sense, and his thorough theoretical and practical knowledge of his profession, early gained him, not only a large and lucrative practice, but also the sincere respect and esteem of his fellow practitioners. He soon became prominent as a surgeon as well as a physician. For many years he was the surgeon of the principal hospitals in Albany, and was called to fill other positions of trust and honor. He successfully performed many capital operations, such as excision of the hip joint, lithotomy and the operation for strangulated hernia. He successfully treated several cases of femoral and popliteal aneurism by compression, using for the purpose an ingenious instrument of his own construction. Dr. Boulware has very frequently been called upon as an expert in medico-legal cases. His sound surgical and medical knowledge, and his practical sagacity and tact, have always secured from the most unwilling counsel a fair presentation of his views, and very frequently the public commendation of the presiding judge, for the clearness, learning and skill displayed in his testimony. He has long been a prominent member of the Medical Society of the County of Albany, and has held most of the responsible offices of that organization, rep-

home, that the bear was compelled to relinquish the child. At that time the family lived at Frankfort, near the present site of Utica. Bears, wolves and other wild animals were plenty, and wolves howled around the doors of the settler's cabin till driven away with firebrands. Alvin Fowler pursued the trades of clothier and stone mason. His wife was Miss Olive Lord, whom he married in 1819, she having emigrated from Saybrook, Conn., with her father's family, two or three years earlier. Of their four children, Dr. Amos Fowler was the eldest. He was born in the town of Cohocton, Steuben County, N. Y., July 5, 1820. His father removed to Evans' Mills, Jefferson County, while Amos was yet an infant, and thence to Fayetteville, Onondaga County, when the lad was seven years old; there he owned and operated some mills, and a factory for the manufacture of woolen cloths, till 1836, when he again removed to a farm in the town of Victory, Cayuga County. Young Fowler was educated mainly in the public schools, but was also a student at the academies in Fayetteville and Victory, working on the farm summers and attending school winters. Leaving school, he became a teacher, teaching two winters in Wayne and one in Cayuga County. While thus engaged he began reading medicine in the office of Dr. Blanchard, of Victory. Later he was a student and assistant of Dr. Root's, at Memphis, Onondaga County. He entered the Geneva Medical College, and finished his prescribed course at the University of the City of New York, graduating in 1846.

Dr. Root died just before Dr. Fowler's graduation. Already well established in the confidence of Dr. Root's patrons, he returned to Memphis and took up the Doctor's practice. In 1850 he removed to Sand Lake, Rensselaer County, and from thence, in 1854, to Albany, locating on Second street, nearly opposite his present residence and office. Since coming to Albany, as before, Dr. Fowler has enjoyed an extensive practice. His standing in his profession is high, and he has served the Medical Society of Albany County as its vice-president and its delegate to the State Medical Society. Dr. Fowler was married, August 30, 1850, to Miss Caroline M. Harris, daughter of Nicholas Brown Harris, M. D., of Sand Lake, Rensselaer County, who bore him four children, two of whom died in infancy. She died, April 3, 1880, at Savannah, Ga., while returning with her husband from a journey in the South. Their son, Warren Hamilton Fowler, studied medicine at the University of the City of New York, graduated from Jefferson Medical College, Philadelphia, and is now practicing his profession in Albany.

Their daughter, Caroline I. Fowler, is a member of her father's household. July 25, 1882, Dr. Fowler married his present wife, Mrs. Mary Poole, a native, and, for most of her life, a resident of Albany. Though not active in politics, the Doctor has pronounced views on public questions and is an adherent of the Republican party. He was reared within the pale of the Methodist Episcopal Church, but for some years has been a member of the Fourth Presbyterian Church of Albany.

#### JOSEPH N. NORTHROP, M. D.

Dr. JOSEPH NORMAN NORTHROP was born at Decatur, Otsego County, New York, in 1817, and was in the sixty-first year of his age at the time of his death, which occurred September 17, 1878. He was a son of Abner Northrop and Jerusha Gibbs, both of whom were natives of Connecticut. He had two brothers and two sisters, only one of whom, the youngest brother, survives him. His father was a farmer, and the early part of the life of Dr. Northrop was spent at home upon the farm. The foundation of his education was obtained in the common school. At the age of thirteen he went to the Oneida Institute, a manual labor school, where he spent three years. Leaving school, he came to Albany, where, after passing a year as a clerk in a drug store, he entered the office and family of Dr. Samuel Shaw, and began the study of medicine. When about eighteen years of age he entered the Vermont Academy of Medicine, graduating in 1839. His diploma was signed by Dr. William Tully, Professor of Theory and Practice and Materia Medica; Theodore Woodward, Professor of Surgery and Obstetrics; James H. Armsby, Professor of Anatomy and Physiology; and John De Wolf, Professor of Chemistry and Natural History. He had a great admiration for Dr. Tully, whose name and sayings were frequently on his lips in later years. After graduating, he attended a course of medical lectures at the Transylvania University, at Louisville, Ky., defraying his expenses by conducting a writing school and by a little practice among Northern people residents there.

He began his professional work as a salaried physician upon a plantation of about six hundred negroes, in Mississippi, being the only medical man within twenty miles. He staid there a year and a half, taking the yellow fever, from which he narrowly escaped with his life. This necessitated his removal north. After spending a year in Albany, he returned to his native place, where he practiced his profession for twenty years. In 1840 he married Miss Mary Jane Lansing, the only daughter of Col. Robert C. Lansing, of Decatur. His practice there was large, embracing long rides into the adjoining counties of Delaware and Schoharie. He held for some time the office of division Surgeon of Militia, Gen. Burnside being division General. The only civil office that he filled outside of his profession was that of supervisor, which he held for two years. He was elected delegate to the State Medical Society from Otsego County, and became a permanent member of the society in 1861. In 1859 he returned to Albany and entered upon a general practice there, which became extensive and lucrative. He joined the Albany County Medical Society in 1860, and held for several terms the office of censor, and was elected president in 1876.

His death, which occurred nearly twenty years after he came to Albany to reside, was startlingly sudden in its circumstances, taking place upon the anniversary of his wedding-day. Preparations having been made for the customary celebration of this anniversary, he went early in the evening to





make a professional call a few blocks away. Instead of sending for his carriage, as he usually did, even when going but a short distance, he walked. He was troubled with dyspnea on exertion, due to an affection of the heart. He saw his patient, and, while preparing medicine in an adjoining room, he suddenly gasped for breath, fell from his chair, and in a few minutes died.

This is a brief sketch of the life of Dr. Northrop, which covered forty years of professional work, and ended in the midst of his greatest usefulness, while he was fully entering into all that went to make up life for him. He passed away at the full tide; he had not started on the down-hill side of life. There are not many lives that are marked with great incidents; nevertheless, this outline of his career brings out a fact which has in it much to admire, that, starting in the world with nothing, he gained, by his own unaided efforts, education, a worthy place in an honorable profession, a competence, and the high esteem of his associates and fellow citizens. In character, he was a genial, open-hearted man, whom many knew well and whose loss is sincerely lamented. While his life was unmarked by great events, it was always attended with devotion to duty, to his profession and to his fellow men. His grave does not inclose the memory of these virtues, nor limit the worthiness of his example. Two years before his death he became a member of the First Reformed Church of Albany.

#### JOHN B. ROSSMAN, M. D.

Dr. JOHN BUSKIRK ROSSMAN was born, September 27, 1806, in Johnstown, Columbia County, N. Y. He was the seventh child of a family of sixteen children. Fourteen grew to maturity. Four of the sons were physicians. His father, John J. Rossman, was a worthy man, much respected in the community in which he lived. He was elected sheriff of Columbia County for two or three consecutive terms. With a family so large and facilities for education so limited, Mr. Rossman was not able to give his children a liberal education, yet he gave them the best that could be obtained in the schools in his vicinity. John not only attended the district school, but was sent to a neighboring academy, where he made proficiency in the higher English branches. He is represented as having been a lad of excellent morals and of studious habits. In order to be able to continue his studies and to fix more permanently his elementary education, he taught a district school several winters. He commenced the study of medicine with Dr. T. Broadhead, of Clermont. We next hear of him in the law office of Mr. Killian Miller, of Hudson. He remained there only a short time, the law not being congenial with his tastes. He then resumed the study of medicine with Dr. McClelland. From this office he went to Hudson, in the office of Dr. Samuel White. He attended medical lectures at Fairfield, Herkimer County, N. Y., and received his degree there in 1829. After graduation he returned to Johnstown, his native town, and commenced the practice of his profession. Although

young, he was earnest, and attended closely to business. His genial manner and sympathetic nature soon made him popular. His reputation increased, and the young physician was called to longer distances and to families of greater intelligence. Previous to this Mr. John Richmond, an English gentleman, had purchased from Mr. Livingston, while in London, the tract of land called Livingston Manor. Mr. Richmond had taken possession of his purchased property, and to his house Dr. Rossman was called. Here it was that the Doctor first met his future wife, Miss Elizabeth Mary Fairbank, the granddaughter of Mr. Richmond, and the great-granddaughter of the Earl of Preston. About two years after his marriage Dr. Rossman moved to Richmondville, Schoharie County. He remained there about eight years, when he came to Albany. City life is always attractive to a country practitioner, and almost as often as the change is made there is serious disappointment. But with Dr. Rossman it was different. Practice came slowly, but patient waiting and prompt attention to every call secured business. A few years found him in the midst of a lucrative practice. In 1827 he was made a member of the Medical Society of the County of Albany, of which he was treasurer in 1849 and 1850.

He enjoyed a reunion with Dr. Thomas Hun and Dr. Charles Devol to celebrate their semi-centennial in practice, given by the County Medical Society. He was elected alderman from his ward about 1856, which office he filled with credit to himself and satisfaction to his constituents. Dr. Rossman was a kind and affectionate husband, an indulgent and attentive father, and a true and steadfast friend. His peculiarities were the eccentricities of his head, and not of his heart. His wife, Elizabeth Mary Fairbank, died July 27, 1868. She had eight children—four sons and four daughters. Three sons and two daughters are still living. In 1869 he married Miss Rebecca P. McCarthy. By this union he had one son and two daughters, all of whom are living. Soon after he located in Albany Dr. Rossman united with the Middle Dutch Church, and led the life of a consistent and devoted Christian. His last few years gave decided evidence of increasing age. He continued to grow more and more feeble until December 23, 1883, when he peacefully and hopefully passed away to receive the rewards of a life well spent.

#### HON. JOHN SWINBURNE, M. D.

JOHN SWINBURNE was born to Peter and Artemesia Swinburne, at their homestead on the Black River, Lewis County, May 30, 1820. His father, a native of Ireland, was a farmer and also largely engaged in business. He died while Dr. Swinburne was a mere child, and the latter's early years were spent under the care of his mother, a native of Connecticut, and a woman of rare mental activity and great force of character, who, after the death of her husband, took entire charge of the family; and to her careful training the doctor ascribes much of his success in

life. His early education was gained in the common schools of the neighborhood and in the academies of Lowville and Denmark, in Lewis County, and that of Fairfield, in Herkimer County. Having passed his early years at his birthplace, at times teaching school, at the age of twenty-one he determined upon the study of medicine for his profession, and began reading at twenty-three, when he entered the Albany Medical College, registering as a student in the office of the late Dr. James H. Armsby, of Albany. Graduating in 1846 with the degree of Doctor in Medicine, Dr. Swinburne determined to make Albany his home, and opened an office for the practice of his profession. In 1847 he was appointed Demonstrator of Anatomy in the Albany Medical College, and continued to teach that branch of medicine for several years. In 1851 he received his first public appointment, being made an almshouse physician at a time when what was known as "ship fever" was raging as an epidemic, treating during his term of office over eight hundred cases, and finally falling a victim to the disease himself.

From this time up to the breaking out of the Rebellion the Doctor devoted his time to his private practice, which was constantly enlarging. In 1861 he was again called upon to give his services to the public, and was put in charge of the sick at the recruiting depot in Albany, serving as chief medical officer on the staff of Gen. John F. Rathbone. Until the spring of 1862 he remained at this post, 1,470 sick passing under his care, out of which large number only twelve died. April 7, 1862, Dr. Swinburne was appointed one of the auxiliary corps of volunteer surgeons who went from the State of New York to the war, serving without pay. He proceeded to Fortress Monroe, and shortly after his arrival received orders to report for duty to Dr. Tripler, Medical Director of the Army of the Potomac. In company with Drs. Willard, Cogswell and Lansing, of Albany, he set out for the White House, the head of navigation on the Pamunkey River, where Dr. Tripler had his headquarters, reaching there May 18. The establishment of a hospital at this place, to which the wounded could be sent from the front, being decided upon, Dr. Swinburne and his companions were requested to found the same. After rendering valuable services at this station, the Doctor, early in June, returned to Albany, and on the 12th of that month (1862) received a commission from Gov. Morgan, as Medical Superintendent of the New York State wounded soldiers, and was sent to Washington with a letter from the Governor to the Secretary of War. Upon the Secretary's indorsement, Surgeon-General Hammond entered into a contract with Dr. Swinburne for "medical and surgical services to be rendered with the Army of the Potomac," and the Doctor accordingly again reported to Medical Director Tripler. In section 9, *Special Orders of the War Department*, appears the following:

"Acting Assistant Surgeon John Swinburne will report to Surgeon J. J. Milhan, U. S. A., Medical Director, Third Army Corps, for special duty at Savage's Station.

"By command, MAJOR-GEN. McCLELLAN."

With this order the Doctor immediately complied, receiving further orders to establish a general hospital at Savage's Station, Virginia, of which he was to take charge, with instructions to make requisitions for the necessary materials and stores. With his accustomed energy, the Doctor set about the work given him to do, but unforeseen difficulties arose, greatly delaying the construction of the hospital. On the 26th of June, when the hospital was not more than half prepared, owing to the non-fulfillment of his requisitions, wounded men began to be brought in in large numbers, and the Doctor's surgical labors began. On the 28th he was informed by Dr. Tripler that it would be necessary for him to remain at the hospital, the army being about to change its base of operations, which would put the enemy in possession of Savage's Station in a few hours, at the same time giving him a letter from Gen. McClellan to the Commander of the Confederate forces explaining his (the Doctor's) position. After the action of Sunday evening, the 29th, the hospital, with all it contained, was in the hands of the Confederates. From this time up to the 26th of July Dr. Swinburne remained with his charge, struggling with his assistants through increasing hardships and privations, day by day having less of the necessities for the proper management of the sick and wounded, buying food for the hospital with his own funds, until at last, after repeated communications with the authorities in Richmond, on the 26th of July orders came allowing the removal of the sick and wounded, with their attendants, to City Point. Reaching the latter place on the 27th, the Doctor turned over his command to the proper officers and returned to Albany on sick leave, suffering from a chronic dysentery brought on by exposure and improper food.

In the winter of 1862-63 he and Dr. Willard were appointed by the State Medical Society a committee to confer with the Legislature upon the subject of the further relief of the wounded, the result of such conference being the unanimous passage of a bill granting \$200,000, to be applied to the care of the sick and wounded of the State of New York, and the Doctor was once more sent to the front. Returning again in 1864, he was appointed by Gov. Seymour (Democrat) Health Officer of the Port of New York, and had the satisfaction of having his nomination unanimously confirmed by a Republican Senate. At that time the provisions for a quarantine station were very inadequate, and the Legislature, acting upon the suggestions of the Doctor, began the construction of the two artificial islands in the lower bay now used for that purpose. The idea of building an island in fifteen feet of water, exposed to the force of storms and tides from 3,000 miles of the Atlantic Ocean beating against it, was deemed almost impossible, but the Doctor demonstrated it could be done, and to his energy and perseverance New York is indebted for one of the best planned quarantine stations in the world.

In recognition of this distinguished service, the Legislature, by an act, named the first of the two islands thus constructed "Swinburne Island





Hospital." Up to 1870 Dr. Swinburne remained at quarantine; he then went abroad with his family, being desirous of rest and recreation. But he was not a man who could "take his ease at his inn." The Franco-Prussian war having broken out, Dr. Swinburne, being in London, on September 4, 1870, received an earnest request from Minister Washburne and the American Sanitary Commission to come to Paris and take charge of the American Ambulance in that city. Laying aside his personal comfort, he acceded to the request, and lost no time in reaching Paris. There he remained as Surgeon-in-Chief of the American Ambulance until March, 1871, leaving as the Commune was coming into power. How highly his labors were appreciated by the American International Sanitary Committee we will leave Dr. Thomas Evans, President of the Committee, to state. In his report of the doings of the American Ambulance, the distinguished physician says:

"In securing the services of Dr. John Swinburne as Surgeon-in-Chief of the Ambulance, the committee was particularly fortunate. Dr. Swinburne was a surgeon *par excellence*. He had had an extensive professional experience, and had obtained a justly acquired and widely-known home reputation. Thoroughly acquainted with military medicine and the constitution and management of army hospitals, an earnest advocate of conservative surgery, an enthusiast even as regards the conservative treatment of compound-fractures, a skillful operator whenever operations were required, he possessed a rare and highly valuable quality—a knowledge of the way how to deal with men; in a word, he knew how to manage both his patients and his assistants; and not infrequently was he called upon to exercise this special knowledge. Associated, as he was constantly, with a body of forty or fifty persons, all volunteers, holding a certain social position, uncontrolled by the restraints of a military discipline, all naturally ambitious to excel, and perhaps occasionally even over-jealous of the success of their fellows, Doctor Swinburne knew how to direct these energetic elements, obtain from them the largest amount of labor, and maintain in every department of his service his own personal ascendancy."—(See "*Sanitary Associations During the Franco-German War*," Vol. I, 1870-71.)

In recognition of his services, Dr. Swinburne had the rare distinction conferred upon him by the French Government of being made a Knight of the Legion of Honor, also receiving the Red Cross of Geneva. Having finished his labors in the Ambulance, he resumed his travels, spending his time in different parts of Europe until the fall of 1871, when he returned to his home in Albany.

A predominant feature of Dr. Swinburne's practice has been conservative surgery, especially in the treatment of fractures. Shortly after graduating in medicine he directed his attention to treating fractures upon other principles than those in vogue at that date, and in 1848 he discarded the use of such splints, bandages and apparatus as were generally employed, relying upon extension alone to accomplish the sought-for result. Such a departure was a bold procedure, and after having fully tested and proved his method of treatment, in both private and hospital practice, in 1859 he published in the *Transactions Medical Society of the State New York* of that year an article on the treatment of these injuries by extension. During this year he also reported a case of death by the entrance of air into the uterine sinuses (caused by an abor-

tionist), at which time it was said and believed to be almost the only case of the kind on record.—(*Philadelphia Medical and Surgical Reporter*, 1859.) In 1861 appeared another paper on the treatment of fractures by simple extension and counter-extension.—(*Transactions of the Medical Society of the State of New York*, 1861.) In the next year a review of the case of the People against Rev. Henry Budge, indicted for the murder of his wife, tried at Oneida, N. Y., in August and September, 1861, in which Dr. Swinburne forcibly criticised the medical testimony of the defense, and combatted the ground assumed by them by numerous experiments.—(*Transactions of the Medical Society of the State of New York*, 1862.) In the same year he also published in the *Medical and Surgical Reporter* of Philadelphia a synopsis of the trial of Hendrickson, who poisoned his wife by the administration of aconite. This trial also caused much discussion in the medical world, and although the Doctor was severely handled by other professional men for his views as expressed when on the witness stand, he proved his position to have been perfectly correct. In 1863 he published his report to Surgeon-General Hammond, with his experiences in the Peninsular campaign, "Resection of Joints and Conservative Surgery."—(*Transactions of the Medical Society of the State of New York*, 1863.) In 1864 two more papers in the same journal, one upon "Compound Comminuted Gunshot Fractures of the Thigh; the Means for their Transportation and Treatment;" and the other the "Report of the Committees appointed by the Society to Confer with the Governor and Legislature relative to the Additional Relief of the Sick and Wounded Soldiers from the State of New York." The Doctor also proposed and advocated for the transportation of those suffering from fractures of the leg or thigh a stretcher so arranged that extension and counter-extension could be maintained without pain or discomfort to the patient, or any material alteration of the stretcher.—(*Lessons in Hygiene and Surgery*, by Dr. Gordon, C. B.; *Transactions of the Medical Society of the State of New York*, 1864.) He also strongly advocated the resection of shoulder joints instead of amputation, and many are the grateful letters he has since received from those whose limbs he saved to them.

In 1863 Dr. Swinburne was elected a permanent member of the Medical Society of the State of New York. In November, 1872, he was chosen president of the Medical Society of Albany County. In 1876 he was chosen Professor of Fractures and Dislocations and Clinical Surgery in the Albany Medical College. He was one of the four surgeons to the Albany Hospital from its foundation up to 1864; also consulting surgeon to St. Peter's Hospital, and for a number of years has been surgeon-in-chief of the Homœopathic and Child's Hospitals. In 1879 he established in the City of Albany a Dispensary for the treatment of all manner of diseases and fractures. This Dispensary was established on a humanitarian basis, where the sick, maimed and lame were invited to come and be made whole, without money and without price. From its foundation the Doctor has himself had a

general supervision of all that was going on, and had as assistants a corps of surgeons trained under his own tuition in conservative surgery. In addition to his large private practice nearly 60,000 people have been treated at the dispensary up to the close of last year, at least 25,000 of these being surgical cases. For the year 1884 the register gives the number of new cases treated as 7,502, of which 4,340 were medical cases and the remaining 3,156 surgical. During the year 250 fractures were treated, 178 of which were of the upper extremities and the remainder of the lower limbs. In the treatment there has not occurred one poor result, a record unequaled by any institution in the annals of surgery. During this period not an amputation of any nature has been performed, the Doctor maintaining that the too frequently indulged in use of the amputating knife is barbarism. His conservative doctrine is to save the limb and help nature in the work of curing. He has paid out of his private funds upward of \$5,000 per annum to carry on his dispensary since its foundation, and now proposes, if the State will not do so, to found a dispensary in addition to the one he now runs for the care and treatment exclusively of injured railroad men.

His career in public life has been almost as marked as that of his professional.

In 1882, the citizens of Albany, irrespective of party, organized to effect a reform in the municipal affairs of the city, and after much persuasion induced the Doctor to run as the People's candidate for the mayoralty. The election was a bitterly contested one on the part of the ring, who desired to retain power, and on the part of the citizens, who demanded a reform. By a manipulation of ballots the voice of the people was frustrated and his opponent inducted into the office. The frauds, however, were too glaring, and at a public meeting the evening after the results were announced the people there convened decided to commence legal action to set aside the declaration and award the office to Dr. Swinburne. After nearly a year and a half of maneuvering in court by the incumbent's counsel, in taking advantage of the law's delays, the case was finally set for a definite day for trial. As soon as this judicial order was made, the incumbent, Michael N. Nolan, resigned the office, and Dr. Swinburne, by order of the court, took possession. In the spring of 1884, he was again nominated by the citizens and indorsed by the Republicans, but was again counted out by a small majority. Suffering at the time from blood poisoning, having been infected while performing an operation, he could not and would not consent to a contest for the office in the courts, although his friends were satisfied they could prove a large majority in his favor, and went west for his health. Returning home with his powers recuperated and his vigor restored, he was greeted with a reception unequaled in previous days, the streets being figuratively a mass of blocked humanity. The citizens again assembled, and knowing there was more protection at the ballot box in national than civic elections, and appreciating the worth and ability of the Doctor,

nominated him for Congress. The nomination was indorsed by the Republicans, and when the ballot was counted it was found that he had a majority of 2,504 over the then sitting member, T. J. Van Alstyne, recognized as one of the very strongest men in the district. By this election the political complexion of Albany County was changed over 7,000 votes.

Dr. Swinburne was married in 1847 to Miss Harriet Judson, of Albany, by whom he has had four children, one of whom is living.

#### SAMUEL BALDWIN WARD.

The ancestry of an eminent physician is always important to those who would intelligently study his career and character. The study will explain what debt he owes to the past and to circumstances, and to what measure he has been the architect of his own fortune. We are all of us sensible enough to know that good birth, in the American significance of the word, is a valuable fact in the same sense in which good health is, and that creditable as unaided effort or the overcoming of difficulties is, they whose equipment for the labor of life has been insured by nurture, counsel and culture are most apt to prove themselves completely competent for the manifold duties of professional work in the world. The pride of "self-made" men, who are as a rule half-made men, and who invariably worship their creator, is in the fact of their having attained to such a position of strength as will enable them to give to their children the initial advantages which were denied to themselves. No "self-made" man expects his sons to be "self-made" men. He wants them to escape the hardships of their father. He desires to make the beginnings of life easier for them than they were for himself. The conquest of early obstacles is laudable. The necessity to encounter them is regrettable. They consume time and effort which must be subtracted from the act of starting.

Both the fact of a sturdy ancestry of achieving freemen and the fact of careful preparation for his profession must be predicated of the cultivated physician and surgeon of whom we write. Lebbeus Baldwin Ward, the father of our subject, who was born in New Jersey, April 7, 1800, and who died in New York City, June 15, 1885, was directly descended through his father from revolutionary soldiery, and though his mother from the celebrated Dod family of Newark and Princeton, renowned as teachers and exponents of natural forces, and conspicuously identified with the institutions and literature of science. The mother of Dr. Ward, *nee* Miss Abby Dwight Pratt, of Hatfield, Massachusetts, was descended through both parents from the best Old England and New England stock, and was the daughter of a clergyman of marked strength of intellect and character. The father of Dr. Ward, whose recent death became the occasion of marked tribute to his worth and deeds by the press of the State, was first an engine builder and then a maker of wrought-iron



John J. [illegible]



forgings, being the founder of the Hammersley Forge Works, at the foot of Fifty-ninth street, New York, on the North River. He was an occupant of many business, judiciary and religious trusts, a member of the State Assembly when the position was honorable in fact as well as in designation, and a Commissioner of the Metropolitan Board of Police, in the first years of its establishment.

Of Revolutionary and Puritan forces the representative, Samuel B. Ward was born in New York City on June 8, 1842, in the large stone house which his father had built in the English style, near the forge works, as a homestead. Early in life he put forth the evidences of the qualities which have since conspicuously marked him. He was studious, practical, a lover of nature, fond of physical sports and accomplishments. He was generous, unsuspicious and winningly frank. He had the ability to inspire confidence among those with whom he contended for the prizes of youth in manly emulation. The society of an ideal home made his progress in the studies of boyhood easy, inciting and rewarding, and at the age of 16 he entered Columbia College in his native city, well prepared for the course of training to which he was subjected in that institution. He graduated with honors in 1861. Not only did he stand among its first in academic honors, but he was chosen by his classmates to the highest positions within the gift of their friendly suffrages. His scholarship and his popularity were thus attested on the threshold of his active life. After a year of as much study as slower or duller men diffuse into three years, young Ward was appointed a medical cadet in the United States Army. The position enabled him to combine with the continued study of medicine and surgery such clinical instruction and such administrative experience as were extremely valuable. In 1863 he was commissioned by President Lincoln an Acting Assistant Surgeon of the United States Army, and in 1864 an Assistant Surgeon of the United States Volunteers, a little in advance of the completion of his medical studies, which he successfully pursued in the College of Physicians and Surgeons in New York, and in the medical department of Georgetown University, in the District of Columbia. He was matriculated from the latter school. The army medical experience of Dr. Ward was mainly that comprised by hospital service in Washington, Alexandria and the vicinity. It was such as brought him into contact with a great variety of complaints and injuries. It enabled him to work with and under the ablest minds in his profession. It familiarized him with the relations of government service to great sanitary undertakings. It devolved large responsibilities on him, and he showed coolness, readiness and resource in meeting them.

At the close of the war, though accorded the opportunity of remaining in the service of the government in the line of his profession, Dr. Ward began the practice of it in his native city. He was made Professor of Anatomy and then of Surgery in the Women's Medical College. He met

with decided success in the practice of his profession. His class lectures at the first showed that crispness, aptness and directness, the ability to enlighten and to incite students, which they possess in marked degree. He was chosen a member of the Northwestern Medical and Surgical Society of the metropolis and was made its secretary. He began and has since continued the contribution of accounts of cases to the *Medical Record* and to the *New York Medical Journal*. He became and has remained an active companion of the first class of the Military Order of the Loyal Legion. In 1871, he married the late Nina N. Wheeler, daughter of William A. Wheeler, Esq., of New York City, of whom death bereaved him in October, 1883. During his residence in New York Dr. Ward was elected Assistant Surgeon of the famous Seventh Regiment, with the rank of captain, on June 1, 1872, a position he held until June 12, 1876, the year in which he removed to Albany.

The activities and honors of his profession have crowded on this gentleman at the State capital. His position as the Professor of Pathology, Practice, Clinical Medicine and Hygiene in the Medical College of Albany has made him widely known throughout the profession. He has long been the surgeon of the Fifth Brigade, formerly the Ninth Brigade of the State National Guard. He has, since September, 1883, been a member of the Board of Health of the city, and since January, 1885, one of the Civil Service Examiners for State officers. A member of the New York County and Albany County Medical Societies, Dr. Ward has several times been elected a delegate to the American Medical Association, and he is a permanent member of the State Medical Society. In all the movements of his profession, within the capital or the State, he has been required to become meritedly prominent on the demand of his brethren, while the State and municipal authorities have availed themselves of his knowledge and skill in the counsel they have taken touching large sanitary subjects. He became A. M. by the act of Columbia College, his *alma mater*, in 1864, and he received the degree of Ph. D. from Union University on June 28, 1882. In 1885 he was confirmed by the Board of Regents of the University of the State as a member of the executive committee of the State Normal School, at Albany, in place of the Hon. St. Clair McKelway, resigned.

The citation of the proofs of professional and public preferment could be continued. But enough has been given to serve the purpose of showing that Dr. Ward has won a distinguished position in his profession alike by the concession of its members and in the opinion of the public. The enumeration of the dignities and trusts he has received does not touch the question of his personality; neither can the essentially narrative nature of an outline biography do so. Those who stand to him in the relation of personal friends or professional colleagues know that there are few men in the world of so attractive and worthy personal parts, and that his culture, knowledge and judgment, developed by study and labor in his own



SYLVESTER D. WILLARD, M. D.

land and by study and travel in many foreign countries, are as distinctive and pronounced as are his qualities of fellowship. As the physician and the friend, the best record he has made is in the hearts of those with whose sorrows and joys his own life has been blended. That record is unreportable and sacredly privileged from the public gaze.

## SYLVESTER D. WILLARD, M. D.

Dr. SYLVESTER DAVID WILLARD was born in Wilton, Conn., June 19, 1825, and died in Albany, April 2, 1865. He came of the same family as those eminent divines, the Rev. Samuel Willard and the Rev. Dr. Joseph Willard, the former of whom was a Vice-President and the latter President of Harvard College. His father was a highly respectable physician and an honored citizen; his mother, who was of a much esteemed family of Albany, was a lady of great moral and Christian worth. Young Willard received his literary training at an academy in his native place. In the fall of 1845 he came to Albany, upon invitation of his relative, Dr. Wing, with whom he became a student. He entered the Albany Medical College, graduating therefrom in the winter of 1848.

After serving for some time as an assistant to Dr. Wing, he began practice on his own responsibility, and very early attracted the attention and the confidence of that eminent citizen, the late Dr. T. Romeyn

Beck, to whom, perhaps, more than to any other individual, he was indebted for the earliest expressions of public respect and confidence that were awarded to him. Shortly after he began practice he became connected with the Albany County Medical Society, and served successively as its secretary, vice-president and president. In 1858 he was a delegate to the State Medical Society, and was appointed its permanent secretary, an office which he signally honored, especially by preparing each successive year, with great ability, a volume of the Society's transactions.

From the opening of the Rebellion, in 1861, his whole heart went into every movement connected therewith; and, in the spring of 1862, he went, with two other prominent physicians of Albany, to act as a volunteer surgeon to the Army of the Potomac. From Fortress Monroe he proceeded to White House, where he was invested with an important agency in establishing a large field hospital, which brought immediate relief to many hundreds of our wounded soldiers. During a brief sojourn there, he suffered the severest hardships of labor and exposure, and contracted a disease which developed itself more fully after his return, and which there is some reason to believe was never entirely dislodged from his constitution. He made one or two attempts afterward to return to this field of labor, but was obliged to abandon his object.

But the most important public enterprise in which Dr. Willard engaged was the establishment

of an institution for the relief of the chronic insane. His mind had been directed to this subject for a considerable time, and he had collected a vast amount of information bearing upon it, which he had embodied in a luminous and elaborate report. That report had met with a most respectful attention from the Legislature, and everything indicated the speedy carrying out of the plan which he had proposed, when Dr. Willard found that his days of activity on earth were numbered. The Willard Asylum for the Insane, so named as a memorial of him, has been established since his decease. At the time of his death he was holding the positions of Secretary of the State Medical Society, Examining Surgeon for the Pension Office, and Surgeon-General of the State, all of which were to him posts of arduous labor and unceasing fidelity. But the duties of these offices, in addition to his more private professional engagements and other diversified claims upon his time, imposed upon him a burden greater than his physical constitution was able to bear. A sudden attack of disease, superinduced by excessive exertion, accomplished its fatal work within a very few days. The solemnities of his funeral, as well as the warm memorial tributes of different bodies, including the Legislature of the State, furnished the most unquestionable evidence that his death was regarded as a public calamity.

Dr. Willard's intellectual character was marked by quick perception, sound judgment, retentive memory, and much more than the ordinary power of analysis and investigation. A diligent student of books and a close observer of men and things, he acquired a very large amount of general as well as professional knowledge, and he devoted much time to the local history and biography of the medical profession, the results of which appear in "Albany Medical Annals," Vol. 1. He possessed large executive ability, and power of readily bringing other minds into harmony with his own. He had, moreover, an exquisite taste, an eye to discern whatever is beautiful in nature or art, and the delicacy of his perceptions, especially in regard to architectural proportions, was well-nigh unrivaled. His moral qualities were akin to his intellectual ones. He had great simplicity and directness of character. With him the question, "what is right?" was all absorbing, and he sought to settle it by light from above and from within, without listening to the pleas of expediency or of imagined self-interest. His spirit was eminently genial and cheerful, and, with his fine intellectual qualities and more than ordinarily attractive manners, rendered him a most agreeable companion. He was, withal, a man of great benevolence. There was a chord strung in his heart that vibrated quickly to every form of human suffering.

But the intellectual and moral qualities with which Dr. Willard was originally endowed were essentially modified in their action by the influences of Christianity. When about sixteen years old, during an extensive revival of religion in his native place, he entered upon the Christian life,

and shortly after he joined the Congregational Church at Wilton, and on his becoming a resident of Albany transferred his membership to the Second Presbyterian Church of this city, which was unbroken during the remainder of his life. For several years he superintended the mission school in Lydius street with great fidelity and success, though it must have been at no small inconvenience, in view of his daily professional engagements. In his medical practice he often prescribed for the spiritual as well as the physical man. The grand enterprise for the relief of one of the most terrible forms of human woe, which he had so much at heart in his last days, was evidently prosecuted not merely from considerations of public expediency, nor yet merely or chiefly from the influences of a naturally benevolent spirit, but from those higher principles and feelings which it is the province of Christianity alone to inspire.

#### BIOGRAPHICAL NOTES OF SOME PHYSICIANS.

WILLIAM HOWARD BAILEY was born in Bethlehem, Albany County, December 28, 1825. He was the seventh child of Dr. Solomon Bailey. When about five years of age his father discontinued the active practice of his profession and retired to a farm. His father had always manifested a great interest in the education of the young, and was for years the active school officer of the town. His family received his first and continued attention, and to him more than to the schools in the neighborhood were they indebted for their educational foundation upon which to build in after life. After the death of his father, which occurred when he was thirteen years of age, he continued his studies at Albany Academy, the Academy at Utica, the State Normal School at Albany, and the Seminary at Cazenovia. Five years he devoted to teaching. While having the charge of the Union school in Trumansburg, he commenced the study of medicine. He continued it all spare hours during the two years that he had charge of male academy in Cassator, Alabama. He returned to his native county, attended lectures at the Albany Medical College, from which he graduated in 1853. His mother, living in Utica, induced him to commence the practice of his profession there, but in September, 1854, he removed to Albany, where he has been in practice since. He was made member of the Albany County Medical Society in 1854; was four years its treasurer, delegate to the Medical Society of the State of New York, and President of the County Society; was made a permanent member of the Medical Society of the State of New York in 1864, and was Secretary of the same from 1865 to 1875. He was elected President in 1880. He received the honorary degree of M. D. from Soule University, Texas, in 1871, and the degree of LL. D., in 1877, from the Washington and Jefferson College, Penn. He was elected Alderman of Albany in 1874. In 1882 he was appointed one of the consulting board of the Hudson River State Hospital for the Insane at Poughkeepsie, a

position he continues to hold. He was Obstetrician several years at Albany Hospital; also U. S. Examining Surgeon for Pensions.

O. D. BALL was born, 1840, in Otsego County; educated at Hartwick Seminary; received his A. M. degree at Union College; entered the army in 1861; served as Regimental Quartermaster, Third New York Artillery; as Ordnance Officer, Third Division, Eighteenth Army Corps, and Assistant Adjutant-General, Department N. C. Graduated in medicine from New York College of Physicians and Surgeons, 1867; practiced medicine in Otsego County until 1874; then removed to Albany, and continued the practice ever since. Was Coroner of Otsego County three years; President of Otsego County Medical Society, and for three years Demonstrator of Anatomy in Albany Medical College.

JAMES F. BARKER was born in Schenectady in 1851. He is of New England ancestry. He graduated from Union College in 1874. He studied under Dr. James H. Armsby, of Albany, and graduated from the Medical College in that city in 1877. In the same year he began practicing with Dr. Gideon H. Armsby. He is a member of the Albany County Medical Society. Among the papers written by him is a biographical sketch of Dr. Gideon H. Armsby, who died in 1882.

EZRA ALBERT BARTLETT comes of a historic family, his great-grandfather, Josiah Bartlett, M. D., being one of the signers of the Declaration of Independence. Dr. Bartlett served three years in Battery "M," Fourth U. S. Artillery, during the war of the Rebellion. He received the degree of A. B. from Rochester University in 1870, and that of M. D. from Albany Medical College in 1879, since which he has practiced in Albany. He was married in 1871 to Miss Jennie Sargent, of Rochester, N. Y. The name of Bartlett abounds in every department of literary and professional life in this country, especially in New England.

HERMAN BENDELL began practicing in Albany in 1876. He has met with success, and while he is well versed as a general physician, he has made his specialty diseases of the eye and ear. In this difficult branch he has acquired high reputation. He is a member of the Board of Public Instruction, and has been its President for one term.

JOHN MILTON BIGELOW was born in Albany, August 22, 1846. He graduated from Albany Academy in 1863, from Williams College in 1866, from the College of Physicians and Surgeons, New York City, in 1869, and received the degree of M. D. from the Albany Medical College in 1870. He began practice in Albany. His specialty is diseases of the throat, air passages and heart. He is a member of the County Medical Society, and the State Society. He was County Physician for 1876 and 1877. In 1870 he was appointed Professor of Materia Medica and Therapeutics and Attending Physician to the Albany Hospital, and in 1876 to St. Peter's Hospital. He has written papers on "Idiopathic Peritonitis," "Croup," "Hyper-

drosis," "Tobacco Poisoning," and other subjects.

JOSEPH H. BLATNER, of German descent, was born in Albany, August 20, 1848. He attended private schools, the Albany Academy, Amherst and Williams Colleges, and graduated from the Albany Medical College in 1872. He studied abroad for two and one-half years, entering at Leipsic, Prague and Vienna, and visiting the large hospitals of Germany, England and France. While at Prague he received the degree of M. A. O. During the first two years of his practice he was in partnership with Dr. A. Vanderveer. He was a member of the Albany Dispensary Staff, and is a member of the Albany County Medical Society. His specialties are obstetrics and diseases of women and children.

RICHARD J. BROWN was born in 1849, in Lanark, Perth County, Canada. He attended school there until 17 years of age, when he entered the printing office of the *Perth Standard*. He was a reporter for one year; then went on the *Toronto Globe*. He left this business and entered St. Michael's College, Toronto. After meeting with many reverses he removed to Albany in 1870, making it his home ever since. He entered the office of Swinburne & Balch, graduated from the Albany Medical College, and, in 1881, began the practice of his profession.

FREDERICK LUKE CLASSEN was born in Albany, July 7, 1857. He was educated in the public schools, graduating from the High School; graduated from Albany Medical College in 1881, and at once began practice. He is a member of the Albany County Medical Society, and has been one of its Censors. He has held, since 1883, the position of Coroner's Physician. His specialty is diseases of the throat and lungs. He is author of "Aneurism of the Aorta," "Water as a Surgical Dressing," and "Hydro Nephrosis."

JOHN BLISS CONKLIN was born in Sand Lake, Rensselaer County, in 1832. His family moved to Illinois in 1884. He graduated at Chicago Medical College in 1852. He read homœopathy and graduated in that school in Detroit in 1854. He practiced in Bennington, Vt., one year. Made cancers a specialty, and practiced in Buffalo, N. Y., six months; in San Francisco, Cal., eighteen months; and in Mexico, six months. Returning, he settled in Albany in 1862, where he has since continued practicing his profession.

CHARLES M. CULVER was born at West Troy, September 28, 1856. He graduated from Union College in 1878, and from Albany Medical College in 1881. He attended at the University of Berlin for eight months, going thence to Paris, where his studies were pursued for ten months; thence to London, returning to Albany in 1883, where he began practice as an oculist and aurist. He is a member of the Albany County Medical Society. During the present year, his translation from the French of Dr. Landolt's (Paris) work on "Refraction and Accommodation of the Eye" will be published.

FREDERIC C. CURTIS, though of New England parentage, was born in South Carolina. He graduated from Beloit College in 1866, and received his M. D. from the College of Physicians and Surgeons, New York, in 1870, after which he took a year of travel in Europe. He was established here in 1871. He is an ex-President of the County Medical Society, permanent member of the State Society, and member of American Public Health Association and American Dermatological Association, editor of "Albany Medical Annals," and of Vol. III of "County Society Transactions." He is Professor of Skin Diseases in the Albany Medical College, and physician in the same department in Albany and St. Peter's Hospitals. He is also a member of the State Board of Health.

JOHN SAVAGE DELAVAN was born in Ballston, Saratoga County, October 18, 1840. He was a student at Military Institutes and at Union College. He graduated from Albany Medical College in 1861, practicing in Albany for one year. During the Civil War he served as surgeon in various positions. At the close of the war he returned to Albany, and was appointed Pension Examining Surgeon, which he held, with the exception of about one year passed in Europe on account of poor health, until 1875. Under the administration of Mr. Hayes he was Vice-Consul at Geneva, returning to Albany in 1879. He was appointed, in 1880, one of the Commissioners of the State Board of Health. His specialty is diseases of women. He is author of many papers, among which are "Vital Registration," "Use of Alcohol in Health," and a series of articles entitled "Obstetric Hints for Young Practitioners."

FRANK H. FISK was born, August 6, 1853, in Salisbury, Ct. He attended the public schools of Bridgeport, Ct.; studied medicine in Springfield, Mass.; graduated from Albany Medical College in 1882, and at once began his practice in Albany. His specialty is surgery, and he has performed many capital operations. He is a member of the County Medical Society.

DAVID FLEISCHMAN was born in Albany, March 12, 1859. He graduated from Albany High School in 1875, Yale College in 1879, and Albany Medical College in 1881. He began practice in Albany in November, 1882, making throat diseases his specialty. He is the author of "Nasal Polypus;" is a member of the County Society, and physician for throat diseases in the Albany Hospital.

SAMUEL HUNTINGTON FREEMAN is a lineal descendant of Edward Freeman, who came from England in 1635, and was one of the first settlers of Plymouth. He is a grandson of Hon. Jonathan Freeman, one of the founders of the township of Hanover, N. H., and of Dartmouth College, of which he was trustee and treasurer for forty years, and a member of the United States Congress when Washington was President, a member of the Committee of Safety during the Revolutionary War, and filled many other important trusts in the history of

the State and Nation. Jonathan Freeman, Esq., the father of the subject of this sketch, was born in Hanover, N. H., where he was greatly esteemed for his unostentatious charities and probity of character. Besides filling other important offices of trust, he was Justice of the Peace and Quorum for more than forty years. Dr. Freeman was born in Hanover, N. H., August 24, 1821, and was graduated at Dartmouth College in 1843. He studied medicine at Dartmouth Medical College, and graduated at the Albany Medical College in 1846. He afterward became associated with his former preceptor, Dr. James H. Armsby, as partner in professional business, which continued for twelve years. He has been an active member of the Albany County Medical Society, and has contributed monographs on various subjects of professional interest. He was twice elected President of this Society. His address on "Human Longevity and Hygiene" was published in the Transactions of the State Medical Society, of which he was elected a permanent member in 1862. He married, in 1851, Sarah Elizabeth, daughter of Hon. Gideon Hawley, of Albany. He is President of the Board of Curators of the Albany Medical College, and a member of the Medical Staff of the Albany Hospital, which positions he has filled for many years.

GEORGE E. GORHAM was born at Le Raysville, Bradford County, Pa., November 8, 1850; attended Le Raysville Academy and Waverly High School, and graduated from Hahnemann College, Chicago, Ill., in 1874. He located in Athens, Pa., remaining there until 1878, when he removed to Albany. He is a member of the American Institute of Homœopathy, the New York State Society, the Albany County Society, and the Society of Northern New York. He was Secretary and Treasurer of the County Society, is now its Vice-President, and Secretary and Treasurer of Society for Northern New York. He is the author of "Treatment of Croup by Inhalation of Bromine," "Common Sense Therapeutics," and "Acute Yellow Atrophy of the Liver," with cases.

WILLIAM HAILES, JR., was born in Albany, October 14, 1849. He was educated in the public schools and at the Albany Classical Institute under Prof. C. H. Anthony. During 1868 and 1869 he studied under the late Dr. Alden March, and classified his notes, which had been accumulating for fifty years. During this time he articulated a skeleton, which is yet in the College Museum. He graduated from the Albany Medical College in 1870, being class valedictorian, receiving a competitive prize. In 1872 he established himself in practice in Albany, which has been interrupted only by two trips abroad—one taken in 1875 to Germany and Italy; the other, three years later, to Paris and London, where he attended lectures. During 1869-71 he was resident physician in the Albany Hospital, and is now attending surgeon to the same, and to St. Peter's Hospital. In 1872 he was Demonstrator of Anatomy; in 1873, Lecturer on Surgical Dressings and

Appliances; and since 1874 has been Professor of Histology and Pathological Anatomy in the Albany Medical College. He has daily classes in practical microscopy, held in Alumni Hall of the college. He frequently lectures before medical and other societies upon technical, scientific and popular subjects. He has performed many capital operations, his specialties being surgery, cathology and microscopy. He is Vice-President of the County Medical Society, and delegate to the British Medical and New York State societies.

**WILLIAM N. HAYS** was born in New Scotland, Albany County, in 1850. He studied higher mathematics, natural sciences and classics at Falley and Whitestown seminaries until 1872. He then began the study of medicine with Prof. James H. Armsby, and graduated with honors from the Albany Medical College, in 1875. He has been resident physician at the Albany Hospital.

**NELSON HUNTING** was born in Wrights, Schoharie County, November 21, 1837; attended the Academy in Gallupville, the State Normal School, Albany, and graduated from New York Homœopathic Medical College in 1869. He practiced for three years in Gallupville, removing to Albany in 1872. He is a member of the American Institute of Homœopathy, the New York State Society and the Albany County Society.

**ALFRED B. HUESTED** received his diploma from the Albany Medical College in 1863, and in 1868 opened a retail drug store on the corner of Eagle and Daniel streets. Dr. Husted, in September, 1883, was appointed Professor of Botany and Materia Medica in the Albany College of Pharmacy, of which he was one of the founders; and in July, 1884, a member of the State Board of Pharmacy.

**P. J. KEEGAN** is a well-known physician and surgeon of Albany. Formerly he was house physician at Mount Sinai Hospital, New York, and is now visiting surgeon to St. Peter's Hospital, Home for the Aged, and of the Little Sisters of the Poor at Albany.

**URIAH B. LAMOURE** was born, March 4, 1844, in Albany; attended the Albany Academy; graduated from the Albany Medical College in 1878, and began practice. He is member of Albany County Medical Society, and is now its treasurer. He received the appointment of County Physician four years ago, which he still holds. His specialty is diseases arising from the abuse of stimulants.

**MAURICE J. LEWI** was born in Albany on the 1st day of December, 1857. After graduating from the Albany Free Academy (High School) he took a private Cornell course with Prof. Altmeyer, at the same time taking up the study of medicine. He graduated in January, 1877, and acted as class orator. Was appointed to the house staff of the Albany Hospital, serving for one and one-half years. He continued his studies in 1878, at the University of Heidelberg, and in 1879 at the Vienna University, where he became one of the assistants in the Children's Hospital under Prof. Widerhofer.

On his return from Europe he commenced the active practice of medicine, devoting himself more particularly to diseases of women and children, on which subjects he has delivered several courses of lectures in the Albany Medical College. He is an ex-President of the Academy of Medicine, has been Secretary of the Albany County Medical Society, member of the Executive Committee of the Alumni Association, and is connected with the Dispensary Staff of the Albany Hospital. He has contributed variously to the literature of medicine, more particularly in his special branches of practice. He is a member of various fraternal bodies, and at present senior deacon of Wadsworth Lodge, No. 417, of Free Masons.

**JOHN McALLISTER** was born in Brooklyn, March 5, 1858, and attended the Catholic Brothers' College, Chicago, Ill., and the public schools of Albany; graduated from Albany Medical College in 1879, and at once began practice. His specialty is insanity and diseases of the nervous system; often called to testify as an expert. He is a member of the Albany County Medical Society.

**HENRY MARCH**, son of Dr. Alden March, was born at Albany, N. Y., December 13, 1827. He was educated in New Haven and Fairfield, Conn., and in Albany, graduating from Albany Medical College in 1853. He is a member of Albany County Medical Society, of the New York State Medical Society, of the American Medical Association, and Curator of the Albany Medical College. He was president of the County Society in 1876, and its treasurer in 1863. He is the author of papers, read before the County Society, on "Anesthetic Agents," "Polypus of Uterus," "Paracentesis-Thoracis," etc.; and "A Biographical Sketch of Jeremiah O. Havens, M. D." During the civil war he served for a brief period as volunteer surgeon. In 1862 he married a daughter of Walter R. Bush, Esq., of Troy, N. Y. Dr. March is a director of the Y. M. C. A., and manager of the City Tract and Missionary Society.

**HENRY E. MERENESS** was born at Sharon Center, Schoharie County, March 19, 1849. He was educated at the public schools, Fort Plain Seminary, Knoxville Academy, and the State Normal School at Albany, where he graduated in 1869. He studied medicine with Dr. James H. Armsby, and graduated from the Albany Medical College in 1874, and began practice in Albany. His specialty is obstetrics. He was valedictorian of his class, and was for some time Treasurer of the Albany County Medical Society. Since 1879 has been Acting Assistant Surgeon of the Marine Hospital service for the Port of Albany. He is Surgeon on the staff of Albany Burgesses Corps, and Treasurer of the same.

**CYRUS S. MERRILL** was born in Vermont. He graduated from Amherst College in 1867, and from the College of Physicians and Surgeons, New York, in 1870; and settled in Albany, making a specialty of Ophthalmology and Otology. He is a member of the American Ophthalmology Society, of the American Otology Society, and of the Albany

County Medical Society. He has received appointments as Professor of Ophthalmology in the Albany Medical College, Ophthalmic and Aural Surgeon to St. Peter's Hospital, the Albany City Hospital, to the Child's Hospital in Albany, and to the Troy Hospital. He is the author of many papers upon his specialty.

WILLIAM E. MILBANK was born in Coeymans, Albany County, March 8, 1841. He graduated from the Albany Academy in 1859, and from the Albany Medical College in 1872. He is a member of the Albany County Homœopathic Society, of the New York State Society, and the American Institute of Homœopathy, being for several years Secretary of the County Society. His specialty is Surgery.

EDWARD MOORE, M. R. C. V. S., located in Albany in 1872. He went abroad and matriculated at the Royal Veterinary College, London, receiving honors. He was there offered, by the Privy Council, the position of Inspector under the provisions of "The Contagious Diseases Act." In 1877 Dr. Moore returned to Albany. He has been veterinary editor of the *Cultivator and Country Gentleman* for seven years, and is a Fellow of the Veterinary Medical Association of London, England. His reputation as a cattle pathologist is well established, and his practice extends throughout the United States and Canada.

FREDERICK D. MORRILL was born in Wakefield, Mass., August 3, 1855. He attended the grammar schools of Boston and the public schools of Albany, N. Y.; graduated from the Albany Medical College in 1880, beginning practice the same year. During 1879, '80, '81 he was resident physician of the almshouse, and is now City District Physician. His specialty is diseases of women and children; is author of "Injections and their Uses in the Practice of Medicine." He is a member of the Albany County Medical Society.

GEORGE S. MUNSON was born in Waterford, Saratoga County, April 4, 1856. He was educated by private tutors, at Anthony's Classical Institute and Princeton College, and graduated from the Albany Medical College in 1880. The two years following were passed in New York under the teachings of Drs. Knapp, Noyes and Agnew, and while there he was First Assistant to the New York Ophthalmic and Aural Institute, Dr. Knapp, Surgeon-in-Chief. He began practice in Albany in 1882, and was married in 1884 to Miss May S. Downing, of the city. He has been for two years Ophthalmic and Aural Surgeon to St. Peter's Hospital, and is a member of the Albany County Medical Society.

WM. H. MURRAY was born in Pound Ridge, Westchester County, December, 1845; graduated at Union College, 1867, and Albany Medical College, 1868; settled in Albany, 1870; was Supervisor of Sixteenth Ward, 1877, and held the position four years. He was elected Alderman, 1882, and President of the Common Council. By virtue of that office, was sworn in as Mayor when Mayor Nolan resigned, and held the office till the Courts gave it to Dr. John Swinburne. Has held the offices of

Police Surgeon, District Physician, Coroner's Physician, and now holds the office of Physician to Penitentiary. Has held the office of Vice-President and Treasurer of Albany County Medical Society.

THEODORE W. NELLIS was born at Schoharie Court House. He graduated from the Schoharie Academy in 1869, and the Albany Medical College in 1881. His specialty is the treatment of hernia and kindred diseases; he is the manufacturer of trusses and other surgical appliances, and conducts the business of druggist and apothecary. He is a member of the Albany County Medical Society, treasurer of the Alumni Association of the College, and a member of its executive committee.

WILLIAM J. NELLIS was born at Schoharie Court House, September 3, 1855. He graduated from the Schoharie Academy in 1872, and from the Albany Medical College in 1879, and at once began practicing in Albany. He is a member of the Albany County Society, and for two years, 1883 to '85, served as Censor.

GEORGE W. PAPER was born in Albany in 1854; graduated at the Columbia Medical College of Physicians and Surgeons, New York City, in 1874. He has practiced his profession in Albany for the last eleven years.

T. KIRKLAND PERRY was born in Dublin, Cheshire County, N. H., June 16, 1852. He attended the public schools of Albany, graduating in 1866, and received a classical education through private tutors. He served several years with Messrs. Clement & Rice, as their prescription clerk; studied under Dr. A. Vanderveer, and graduated from the Albany Medical College in 1875. He was essayist of his class, and received a prize for his thesis. He at once began practice. He is a member of the County Society; was its secretary in 1878, and is now its vice-president. He is author of papers upon "Clinical Thermometry," "History of Anencephalic Monsters," "Scarlatina, with Unusual Complications," and an address, entitled "Obstetric Memoranda," delivered as Vice-President of the County Society, in 1884. He has been, since 1876, member of the dispensary staff of the City Hospital, and is attending Physician at St. Peter's Hospital. He was married, in 1878, to Grace Crosby Moore, who died in April, 1885, leaving two children.

CHARLES H. PORTER, of Dutch and New England ancestry, was born in Ghent, Columbia County, November 11, 1834. He was educated in Hudson, N. Y., Philadelphia, Pa., and at Yale College, where he was made A. M. in 1857. His medical studies were pursued in the Albany Medical College, whence he graduated in 1861. He settled in this city, making a specialty of medical jurisprudence. He is a member of the New York State Medical Society, and of the Connecticut Academy of Science. He has been a frequent contributor to professional journals; for two years he was Professor of Chemistry in the Vermont Medical College, and from 1855 to 1862 Professor of Chemistry and Medical Jurisprudence in the Albany

Medical College; from 1872 to 1874 he was attending Surgeon to St. Peter's Hospital, Albany. In the late war he was Assistant Surgeon, Fortieth Regiment, New York Volunteers; and, from 1862 to 1865, Surgeon Sixth Regiment, New York Heavy Artillery. He has been United States Examining Surgeon since 1871.

PORTER LA FAYETTE REYNOLDS was born in Cabot, Washington County, Vermont, in 1823. He graduated from the Albany Medical College in 1861; he practiced for six months in Troy, N. Y.; then became Assistant Surgeon to the One Hundred and Sixty-ninth New York Volunteers, removing to Albany in December, 1863. He is a member of the Albany County Homœopathic Society, and of the American Institute of Homœopathy.

JOSEPH WARREN RILEY was born in West Troy, Albany County; attended the public schools of Troy and graduated from the Troy Academy. Began the study of Medicine, 1878; graduated from Albany Medical College, 1882. Served two years as resident physician of the Albany almshouse, and one year as city physician; has been practicing since 1882 in the city of Albany.

OTTO RITZMAN was born in Albany, April 7, 1857, and received a common school education; graduated from the Albany Medical College in 1879, and at once began practice. He was appointed District Physician in 1879, which he still holds. He is a member of the County Society. In 1884, in partnership with W. H. Murray, M. D., he established a drug store.

DENNIS P. SHEVLIN was born, August 3, 1858, in Albany. He graduated from the Christian Brothers' Academy in 1876, and from Albany Medical College in 1880; practiced at Saratoga Springs for three years; located in Albany in 1883; was coroner's physician, 1883, '84. His specialty is diseases of the throat and lungs. He is member of the Albany County Medical Society, Union Medical Association, Saratoga County Medical Society, and is Physician to the Catholic Benevolent Society of Albany.

JOHN HENRY SKILLICORN was born in Albany, Dec. 25, 1860, and educated at Albany High School, Cornell University, and Albany Medical College, from which he graduated in 1883. He was professor of anatomy in the Medical College, for the years 1882, '83, '84, and was the first to successfully carry an independent quiz class through the year. He is a member of the County Society and author of "How to Study Anatomy Scientifically," "Reports of Complicated Cases of Typhoid Fever" and contributor of various articles upon popular medicine. His specialty is surgery, particularly fractures.

NORMAN L. SNOW was born in Root, Montgomery County, April 7, 1839. He graduated from Union College, 1859, and from the College of Physicians and Surgeons of New York City in March, 1861. From 1862 to 1865 he served in the United States army; then practiced at Canajoharie, N. Y., remov-

ing in 1875 to Albany. He was a member of the Montgomery County Medical Society, and is a member of the Albany Medical Society, the New York State Medical Society, and of the American Medical Association. From August 23, 1862, to February 18, 1864, he was Assistant Surgeon in the United States army, and Surgeon from February 18, 1864, to October 18, 1865. During the summer of 1865 he was health officer of the district of Savannah, Ga. He was President of the Albany County Society in 1882. He has served as Alderman-at-large, and is now President of the Albany Common Council. Dr. Snow's literary contributions are many, among which are: "Syphilitic Degeneration of Arteries as a Cause of Aneurism," "Strangulated Hernia, with Result of Nine Operations," and "Some Practical Facts in Fractures of the Thigh," verified by the treatment of twenty-five cases occurring in private practice.

H. R. STARKWEATHER was born in Montgomery County, June 11, 1850. Graduated at the Albany Medical College in 1871. Since that time has been engaged in the practice of medicine in the city of Albany. Was elected Supervisor in 1878, and continued in the board three terms. Served five years as coroner's physician and is now city physician.

B. U. STEENBERG, born in Malta, Saratoga County, April 18, 1839; graduated from Albany Medical College, 1870; was Secretary of the Albany County Medical Society in 1876, and Vice-President, 1879.

JOHN BENJAMIN STONEHOUSE was born in Albany, June 4, 1852. He graduated from the Albany Academy in 1869, and from the Medical College in 1871, from which time until November, 1874, he was Assistant Surgeon in "Sanford Hall," a private insane asylum at Flushing, L. I.; he then came to Albany, remaining until 1876, when he became Resident Physician, one year, at "Brigham Hall," Canandaigua, N. Y. His specialties are nervous and mental diseases. He is Secretary of the County Medical Society. For three years he served as Lecturer on Nervous and Mental Diseases in the Albany Medical College, and now has charge of that department in the Hospital Dispensary. He is one of the editors of the *Albany Medical Annals*. Among works by him are: "General Paresis of the Insane," "Syphilitic Nervous Diseases," "Delirium Tremens." In May, 1882, he published the result of "Niter of Amyl in Opium Poisoning," which he claims was the first case ever so treated. As President of the Union Medical Association he read, in 1883, a paper entitled "Historical Retrospect of the Care of the Insane."

JOHN THOMPSON was born at Athboy, County of Meath, Ireland, December 10, 1837, and emigrated to this country in 1847. He was educated in the public schools at Binghamton, and graduated from the Medical Department of the University of the State of New York in 1868, and at once began practice in Albany. He is a member of the Albany County Medical Society.

FRANKLIN TOWNSEND, Jr., was born in Albany, November 4, 1854. His education was pursued at the Albany State Normal School, the Albany Academy, and Williams College, where he graduated in 1873; three years later he graduated from the College of Physicians and Surgeons, New York; and during 1876-7 was House Surgeon in Charity Hospital, New York. He then pursued his studies at Vienna, Strasburg and London, returning in 1878, and commencing practice in Albany. He is attending Physician at St. Peter's Hospital, and to the Protestant and the Catholic Orphan Asylums; he is a member of the Albany County Medical Society, of which he has been Censor. His specialty is Diseases of Women and Children. Among papers of which he is the author are: "Ovulation and Menstruation, considered in their Physiological Relations," "Treatment of the Parturient Breast," "Some Considerations on Uterine Congestions," and "Parturient Hæmophilia."

THOMAS M. TREGO was born in New York City, August 30, 1847. He graduated from Rutgers College, N. J., in 1870; he studied medicine under Drs. S. O. Vanderpoel, Thomas, and Edward R. Hun, of Albany, and Thomas M. Markoe, of New York City, and graduated from the College of Physicians and Surgeons, New York, in 1874. He returned to Albany, where he held the position of Resident Physician to St. Peter's Hospital, which he soon resigned and began practice. He was shortly appointed attending Physician at the Child's Hospital and St. Agnes' School. In 1878 he visited England, Ireland, Scotland, Germany and France, resuming, upon his return, his practice.

WILLIS G. TUCKER, Ph. G., Ph. D., was born, Albany, October 31, 1849. He was educated at the Albany Academy and the Albany Medical College, receiving his degree of M. D. in 1870. Dr. Tucker's professional life has been a successful and busy one. The offices held by him are: Assistant Professor of Chemistry, Albany Medical College, 1871-4; Lecturer on Materia Medica and Assistant Professor of Chemistry, 1874-5; Adjunct Professor of Materia Medica and Chemistry, 1875-6; Professor of Inorganic and Analytical Chemistry, 1876-1882, to which has been added Professor of Medical Jurisprudence and Registrar of the Albany Medical College, since 1882; Professor of Natural Science, St. Agnes' School, since 1873; Instructor in Chemistry, Albany Academy, 1874, etc., etc. He was one of the founders of the

Albany College of Pharmacy, and is a member of the leading American medical and scientific societies. During 1881-84 he was analyst to the State Board of Health. Dr. Tucker, in addition to his professional work, has been a contributor to various scientific periodicals.

ALBERT VANDER VEER was born, July 10, 1841, in Root, Montgomery County. He attended lectures at the Albany Medical College, the National Medical College and the College of Physicians and Surgeons of New York, graduating in December, 1862, from the National Medical College (Medical Department of the Columbia College, Washington, D. C.). He received the degree of M. D. from the Albany Medical College in 1869, and settled in Albany. In 1874-75 he spent six months in the hospitals of London and Paris. He is a member of the Albany County Medical Society, of which he was president in 1873; the New York State Medical Society, of which he was elected president in February, 1885; the American Medical Association, and of the British Medical Association. He was appointed Medical Cadet in the United States army in June, 1862; Assistant Surgeon of the 66th New York Volunteers in December, 1862, and Surgeon in the same regiment in June, 1864; in 1869 he was made attending Surgeon of the Albany Hospital, and in 1874 of St. Peter's Hospital. He was elected, in 1869, Professor of General and Special Anatomy in the Albany Medical College, and, in 1876, Professor of the Principles and Practice of Surgery in that institution. His specialty is surgery, in which he has performed, successfully, many major operations. He is also the writer of many valuable contributions to medical literature.

JOHN WILSON was born in Ireland in 1812, emigrating to this country twenty-one years later. He received a theological education in a school founded by the Government, and taught one of the first public schools ever established in Ireland. He lived in Albany from 1833 to 1843, when he went to Syracuse, graduating from the Syracuse Eclectic Medical College in 1847; he received a diploma from the New York Eclectic College some years later. From 1853 to 1861 he lectured upon medical subjects throughout central New York, and returned to Albany in 1862. He is a member of the Albany District Eclectic Medical Society, and has served as its secretary and treasurer. He also belongs to the State Eclectic Society.

## HISTORY OF EDUCATION.

By Prof JONATHAN TENNEY, Ph. D.

OF all the colonies only Massachusetts and Connecticut made early provision for a common school education for the whole people. The other New England colonies made similar provision as soon as their numbers and organization made it expedient. With these colonies it was, from the first, an established principle that all government must proceed from the people, be formed by the people and for the people. Intelligence and virtue were regarded as its only safeguards. All children should early be instructed in lessons of obedience to wholesome law, in virtue as its foundation, and in knowledge enough to make them understand their rights as citizens and how to defend them, and their duties to each other and how to discharge them. It was established that self-preservation demanded that the state should insist that the money of the state, duly raised by taxation and fairly apportioned, should educate the children of the state. To this principle there was rare dissent. The crowning glory of New England, giving its sons everywhere prosperity, influence and power, comes from its free schools.

Tyranny was afraid of intelligence among the people. In some colonies, as in Virginia, free schools and a consequent free press were openly opposed. In New York, governors seldom dared open opposition; but the schools were degraded by indifference and neglect.

## DUTCH COLONIAL PERIOD.

The men who held public trusts during the Dutch colonial period, such as Directors, Vice-Directors, and officers under the Patroons, received their education in Holland. This was true, also, of the few clergy and other men of the literary professions of law, medicine and teaching. During the English colonial period, at first the same class of men came over, educated in the English schools. They belonged to the aristocratic or wealthy classes. As a rule, they all regarded the laboring classes as born to toil and servitude, having little time for anything but drudgery, and little need of knowing anything else. One of the governors boldly declared that all the common people needed to

know was how to earn money to pay their taxes.

In the Charter of Freedoms and Exemptions granted by the West India Company to all patroons, masters, or private persons who "will plant colonies in New Netherlands," under date of June 7, 1629, occurs the following:

"XXVII.—The Patroons and Colonists in particular, and in the speediest manner, must endeavor to find out ways and means whereby they may supply a minister and schoolmaster, that thus the service of God and zeal for religion may not grow cool and be neglected among them, and they shall, for the first, procure a comforter of the sick there."

In the new project of freedoms and exemptions made in 1630, the same condition was re-enacted in terms as follows:

"The patroons shall, also, particularly exert themselves to find speedy means to maintain a clergyman and schoolmaster, in order that Divine Service and zeal for religion may be planted in that country, and send, at first, a comforter of the sick thither."

In the articles and conditions drawn up and published by the Chamber of Amsterdam, in 1638, for the colonization and trade of New Netherlands, under the West India Company, appears the following: "Each householder and inhabitant shall bear such tax and public charge as shall hereafter be considered proper for the maintenance of clergymen and comforters of the sick, schoolmasters, and such like necessary officers; and the Director and Council there shall be written to touching the form hereof, in order, on receiving further information thereupon, it be rendered the least onerous and vexatious."

It is here to be noted that the comforter of the sick and the schoolmaster were usually united in the same person; that he was first to wait on the sick and render other service as helper to the clergyman; and that care of the boys and teaching them was only occasional, and directed mostly to religious catechisms and a little reading and spelling, with much moral and physical discipline.

A recent intelligent writer observes: "Religion was the leading idea in Dutch teaching. I have seen a Dutch Primer, or A B C Book, as it is called (Amsterdam), similar to our *New England Primer*. It has a large rooster on one page, and a picture of a Dutch school on the other. The master has a cap on his head and a bunch of twigs in his hand. The class stands before him and other boys are seated at their desks. After a very little spelling, succeeds the Lord's Prayer, Creed, Decalogue, Morning and Evening Prayer, Grace before and after meat. The instruction is altogether religious, which feature (I suppose) is retained in our Catholic schools to this day. The English Episcopalians also had their Primer, corresponding to the Dutch and New England Primers."

Adam Roelantsen, previously a schoolmaster in New Amsterdam, came to Rensselaerwyck as a settler in 1639. From all that has been learned, he appears to have been the first schoolmaster at New Amsterdam from 1638 to 1639. He appears in several law suits from 1638 to 1653. We hear of him last in Manhattan.

We are sorry to find that his character was one of great rashness and imprudence; that he was easily provoked and frequently engaged in quarrels and lawsuits with his neighbors. In one of these he was found guilty of adultery and sentenced to be publicly flogged. Indeed, the character of the early clergy and schoolmasters was often such as to be a scandal to "the Divine Service" and to the service of educating the children.

Dr. O'Callaghan well says: The state of morals in New Amsterdam was, at this period (1638), by no means healthy, owing as well to the description of persons which trade brought thither, as to the absence, in a great part, of an agricultural population. This remark applies as well to Beverwyck, and to other years than 1638.

The mass of the people who came to New Netherlands were unable to read or write. Most of them were indifferent to the matter. Hence, schools, when opened, were kept irregularly, by ill-qualified and unprincipled men, and as a temporary service.

The better educated and more prosperous spoke and wrote of the importance of good schoolmasters. But the money and effort necessary to secure them were seldom given. These were needed in the interests of trade.

That a school was needed and in contemplation in Beverwyck as early as 1643, is made manifest by a letter of the worthy Arendt Van Curler to the

patroon. But we find no evidence that this "contemplation" resulted in action. Indeed, very little is said about schoolmasters or schools in Rensselaerwyck or Beverwyck during the whole Dutch period.

A schoolmaster, in 1644, was estimated at one-fourth the value of a clergyman, or thirty florins per month, finding his own rations. In 1661, his pay had advanced to eighteen guilders per month and board-wages. It may have been all he was worth.

The commonalty were required to have the youth instructed by good schoolmasters. But the requirement was seldom enforced. The common people were poor; the government had matters to see to of more personal interest. It will be noticed that the schools were not free so long as the patroons were required to pay for them.

The schoolmaster of that early day "acted many parts." He was expected to be especially helpful to the minister and the church out of school as well as in. It was his duty to "promote religious worship," to "read the word of God" at the opening of service, and sometimes to "exhort the people." He was a "consoler of the sick." He attended the consistory. He was church clerk, sexton, bell-ringer and grave-digger, and usually served as foresinger, precentor or chorister. A very useful man he might be; but how much of a teacher could he be!

"A comforter of the sick who could also act as schoolmaster." "A precentor who could also act as schoolmaster." Old documents often use these expressions.

The historian of the town of Flatbush writes:

"From the records of the town, it appears that the schoolmaster acted as town clerk, and as the rates of tuition were low, previously to the American revolution, the offices of sexton and "foresinger," or chorister of the church, were conferred upon him, with a view to increase his emoluments. He received all interment fees for infants and adults, according to a scale of established prices, and for his services as chorister he was paid an annual salary by the consistory of the church. The chorister, in addition to his duty of taking the lead in setting and singing the Psalms and Hymns, was also required to ring the bell for all public services, to read the commandments at the commencement of the morning worship, and the Apostles' Creed in the afternoon. These latter services were all performed in the Dutch language, and uniformly continued so until about the year 1790, at the time when Mr. Gabriel Ellison, the first English schoolmaster, left the village."

Flatbush did not differ much from other settlements of those days.

It is deemed worthy of note by an observer in 1647, that a college had been founded in Massachu-

setts some ten years before; but little or no efforts had been made by the authorities of New Netherlands to establish even a primary school in any part of the country. It was asserted that "the youth is spoiled," and needed a school that they might be "kept out of the street" and "under strict subordination." Grog-shops and houses where tobacco and beer could be had were plenty. They were sometimes kept by discouraged schoolmasters.

In the remonstrance against the management of the West India Company, made by Adrien Vander Donck and others, claiming to represent the people of New Netherlands, and addressed to the Lords States General, in 1649, occurs the following: "There ought to be, also, a public school, provided with two good teachers, so that the youth in so wild a country, where there are so many dissolute people, may, first of all, be instructed and indoctrinated, not only in reading and writing, but also in the fear of the Lord. Now the school is kept very irregularly, by this one or that, according to his fancy, as long as he thinks proper."

In his reply to this remonstrance, in the same year, Secretary Van Tienhoven, in behalf of the Director-General, admits that the new school-house has not been built, and that "there is no Latin school or Academy;" but claims that a place has been selected for the school of Jan Cornelissen, while other schools, enough for "the circumstances of the country," are kept by "other teachers" in "hired houses." But little credit can be given to any statements made by this corrupt man and servile tool of the West India Company. His history shows him to have been most corrupt in morals and false to every trust.

Later, the remonstrants, complaining of the neglect of the interests of New Amsterdam by "the Company" and its Director, say: "The plate has been for a long time passed around for a common school, which has been built with words; for as yet the first stone is not laid. Some materials only have been provided. However, the money given for the purpose hath all disappeared and is mostly spent, so that it falls somewhat short; and nothing permanent has, as yet, been effected for this purpose." This complaint was made in 1650. Its statements, no doubt, represent the true state of matters in regard to educating the common people of New Netherlands during the Dutch colonial period. It is true that the "Dutch," as Broadhead tells us, "were eminently a charitable, well-educated, moral people." Holland had eminent scholars and educated and pious ministers; but

they did not often come to New Netherlands in the seventeenth century, with the West India Company traders or the patroons. That the traders of "the Company" or the merchants of Amsterdam gave themselves much trouble, beyond a few words, about the schooling of their countrymen and their children in the Valley of the Hudson, does not appear in history. In the inflated speeches and writings of some ill-advised orators and writers of more recent times only, do we read erroneous statements on this subject. History should be true, to be valuable. The best principles of Holland patriots, scholars and Christians did not shine forth in the representatives of the West India Company who came to early New Netherlands as agents and traders. It is false to history to color them as scholars, philanthropists and saints.

The local authorities were sometimes earnestly besought to provide the inhabitants with a proper schoolmaster. "Perceiving how necessary such a person was to the establishment of a well-constituted republic," a committee was appointed to build a school-house and to collect funds for defraying whatever expenses might be incurred. Andries Janse was appointed to take charge of this institution in the course of the following year, and received a present, on entering upon the discharge of his duties, of \$20. This was at Beverwyck in 1650; but his services appear to have been of short duration.

Rev. Gideon Schaets, who was "called as minister to Rensselaerwyck" in 1652, and was afterward, at the request of the inhabitants of Fort Orange and Beverwyck, minister of the latter place, was directed to teach, also, the Catechism there, and instruct the people in the Holy Scriptures, and to pay attention to the office of schoolmaster for the old and young." History is silent in regard to his service as a schoolmaster. His ministerial service was a turbulent one enough.

About 1656, the Holland City of Amsterdam offered certain conditions to emigrants to New Netherlands, which were submitted to the Directors of the West India Company, and received their approval. These are found among them:

"7. Said city shall cause to be erected about the market, or in a more convenient place, a public building for Divine Service: *item*, also, a house for a school, which can likewise be occupied by the person who will hereafter be sexton, psalmsetter and schoolmaster; the city shall, besides, have a house built for the minister.

"8. The city aforesaid shall provisionally provide and pay the salary of a minister and schoolmaster,

unless their High Mightinesses or the Company think otherwise."

The cities did not like to pay taxes; and "the Company" and "their High Mightinesses" usually thought "otherwise." These inducements to emigration remained on paper.

After giving an extended account of the wretched condition of the churches throughout the colony in 1656, Dr. O'Callaghan truly remarks: "Bad as it was with the churches, it was worse as regards schools; not one of all these places, whether Dutch or English, had a schoolmaster, except the Mannhattans, Beverwyck and Fort Cassimer."

We can produce no stronger testimony in regard to the state of popular education in the colony of New Netherlands, even toward the latter part of its existence, than what follows. These clergymen had spent some years in the colony, the former as the first spiritual guide sent out to Rensselaerwyck by the patroon, and the latter as the minister of New Amsterdam.

Revs. John Megapolensis and Samuel Drisius write, in 1657, after making some statements in regard to the churches in the province, that "It is to be added that (to our knowledge) not one in all these places, whether Dutch or English Villages, hath a schoolmaster, except Mannhattans, Beverwyck, and now one, also, at Fort Cassimer on South River; and though some parents would give their children some instruction, yet they experience much difficulty, and nothing else can be expected than a ruined youth and a bewilderment of men's minds. Scarcely any means can be seen to remedy this evil: First, because some villages are only in their first establishments, and whilst people come naked and poor from Holland, they have not means to provide a minister and schoolmaster; Second, because there are few qualified persons in this country who can or will teach."

However much Stuyvesant may have valued learning, and seen the need of it among the common people, and made promises, he subordinated everything to the immediate interests of the West India Company, whose servant he was; and spent revenues and time freely for garrisons and for military excursions to extend and preserve their territorial and mercantile advantage against the Swedes, the English, the French and the Indians. He had no money for schools. He got up collections which were never used for the purpose; he suggested the outhouses of the government buildings as good enough places for common schools; and suffered intemperate, illiterate and

vicious schoolmasters to have charge of them. Schools on paper were often referred to by the public officials; and school-rooms in out-of-the-way places, with lack of proper provisions for seating, light and warmth, were rented when not needed for any other purpose, so long as the schoolmaster saw fit to occupy the gloomy places. The clergy were poorly enough paid, unless they became favorites of the government or entered into land speculations; but public schoolmasters, as well as official "dog-whippers," often failed to receive for their menial service even the salary or tuition promised. They usually secured some more desirable place as soon as possible. Some turned to trade, others to tavern-keeping, and not a few became servitors in some capacity under the government.

Whatever the schools were during the latter part of the Dutch colonial period was largely due to the clergy of the villages, most of whom seem to have been educated in Holland, England, or New England before they came here. They and the leading officers of the government and some of their agents were usually men of diligence and observation, and learned for those times. Gov. Stuyvesant employed a private tutor, thus showing his esteem for learning and his lack of confidence in the other schools of New Amsterdam.

The first Latin high school of the province, taught by one Dr. Curtius, was established in 1659, in New Amsterdam, and patronized chiefly by the aristocratic classes. It soon came into trouble on account of the peculiar notions of some of the parents and the lack of firm and independent government on the part of the learned schoolmaster. His pupils "beat each other and tore the clothes from each other's backs," while "some of the parents forbade him punishing their children." Dr. C. returned to Holland in disgust, and Rev. Mr. Luyck, private tutor to the sons of Mr. Stuyvesant, succeeded him. Students came to him from other villages, and even from the colonies of Delaware and Virginia, to acquire a classical education. In 1663, there were two pupils from Fort Orange, and we may believe there were others from its vicinity. Previous to this, the nearest Latin school was in Boston. We hear no more of Dr. Luyck and his school after 1664.

Such was the condition of public education in New Amsterdam, in Beverwyck, and places adjacent, down to the close of the administration of Peter Stuyvesant, in 1664, as shown by the best documentary and other evidence that has come down to us.

## EDUCATION IN ENGLISH COLONIAL NEW YORK.

In the office of the Secretary of State is found the following license :

WHEREAS, the teaching of the English tongue is necessary in this government ; I have, therefore, thought fitt to give License to John Shutte to bee the English Schoolmaster at Albany ; And, upon condition that the said John Shutte shall not demand any more wages from each Schollar than is given by the Dutch to their Dutch Schoolmasters, I have further granted to the said John Shutte that hee shall bee the onely English Schoolmaster at Albany.

Given under my hand, at Fort James, in New York, the 12th day of October, 1665.

RICH'D NICOLLS.

An order for Jan Jeurians Bleecker [Beecker, or Becker] to be schoolmaster at Albany, granted by Gov. Lovelace, reads :

WHEREAS, Jan Jeurians Beecker had a Graunt to keep ye Dutch school at Albany for ye teaching of youth to read & to wryte ye which was allowed of and confirmed to him by my predecessor Coll. Richard Nicolls. Notwithstanding which severall others not so capable do undertake ye like some perticular tymes & seasons of ye yeare when they have no other Employment, where by ye Schollars removing from one Schoole to another do not onely give a great discouragement to ye maister who makes it his busnesse all ye yeare but also are hindred & become ye more backwards in there learning ffor ye reasons aforesaid I have thought fitt that ye said Jan Jeurians Beecker who is esteemed very capable that way shall be ye allowed schoolmaster for ye instructing of ye youth at Albany & partes adjacent he following ye said Employment Constantly & diligently & that no other be admitted to interrupt him. It being to be presumed that ye said Beecker for ye youth & Jacob Joosten who is allowed of for ye teaching of ye younger children are sufficient for that place.

Given under my hand at ffort James in New Yorke this 16th day of May, 1670.

FRANCIS LOVELACE.

Prof. Jonathan Pearson is authority for the item following: "On the 4th of April, 1676, Gerrit Swartt, Jan Becker and Arien Appel were chosen schoolmasters of Albany. They were then to be the sole schoolmasters of the village ; but shortly after, the same year, Luykas Gerritse [Wyngaard] was also appointed schoolmaster, because he was impotent in his hand."

Gerrit Swartt had held the office of Sheriff of Rensselaerwyck from 1668 to 1673. Out of politics, he took up teaching. Becker was an inhabitant of Fort Cassimer, on the Delaware River, in 1656, and church clerk there ; in 1660 he read sermons on Sunday at Altoona, and was keeping tavern. He was soon after convicted of selling liquor to the Indians, in violation of law, and fined 500 guilders for the offense. For this he was pardoned, because he was no worse than many others. We next find him petitioning for a clerkship under

"the Company," at Esopus, or anywhere else, because he had lost in keeping tavern, and became poor and needy, and finally begged that he might "be permitted to keep school to instruct the youth in reading and writing," if he could get no other position. It seems that he got a school at Beverwyck, and was confirmed "to keep ye Dutch School at Albany" by Gov. Nicolls, and afterward by Gov. Lovelace. In 1663 he had his home at Greenbush, and was notary public as well as schoolmaster at Beverwyck, and was esteemed "very capable that way, whilst Jacob Jooste Covelens was allowed for teaching the younger children." He finally removed to Albany ; was alderman, 1690-92, and died about 1697. Appel came from Leyden ; had a lot at Beverwyck in 1654, conditioned that he build a house to be used as an inn for travelers and not an ordinary tippling house. Two years later he sued his truckman for the loss of an anker of brandy ; and after residing awhile at New Amsterdam, became one of the four schoolmasters of Albany, from 1676 to 1686. Wyngaard became a baker and occupied the south corner of Broadway and State street as a shop in 1715. Such were some of the early schoolmasters of Albany County. As the teacher, so is the school. As the school, so are the people who sustain it. No further comment is necessary.

It is to be regretted that so few authentic records are in existence touching the educational efforts made by the body of the learned clergy of Reformed Dutch Church in America. That they were earnest and as effective as the times allowed is undoubted.

We give the following Articles of Agreement made between the consistory of the church and magistrates of Flatbush, on the one side, and Johannes Van Eckkelen, accepted schoolmaster and chorister, on the other, in October, 1682, as a sample of what was expected of the schoolmasters of 200 years ago in provincial New York. Eckkelen was a young man from New Albany :

SCHOOL SERVICE.—I. The school shall begin at eight o'clock, and go out at eleven ; and, in the afternoon shall begin at one o'clock, and end at four. The bell shall be rung when the school commences.

II. When the school begins, one of the children shall read the morning prayer, as it stands in the catechism, and close with the prayer before dinner ; in the afternoon it shall begin with the prayer after dinner, and end with the evening prayer. The evening school shall begin with the Lord's prayer, and close by singing a psalm.

III. He shall instruct the children on every Wednesday and Saturday in the common prayers, and the questions and answers in the catechism, to enable them to repeat them the better on Sunday before the afternoon service, or on Monday, when they shall be catechised before the congregation.

Upon all such occasions, the schoolmaster shall be present, and shall require the children to be friendly in their appearance, and encourage them to answer freely and distinctly.

IV. He shall be required to keep his school nine months in succession, from September to June, in each year, in case it should be concluded upon to retain his services for a year or more, or without limitation; and he shall be required to be regulated by these articles, and to perform the same duties which his predecessor, Jan Thibaud, above named, was required to perform. In every particular, therefore, he shall be required to keep school, according to this seven months agreement, and shall always be present himself.

**CHURCH SERVICE.**—I. He shall keep the church clean, and ring the bell three times before the people assemble to attend the preaching and catechism. Also before the sermon is commenced, he shall read a chapter out of the Holy Scriptures, and that between the second and third ringing of the bell. After the third ringing he shall read the ten commandments, and the twelve articles of our faith, and then take the lead in singing. In the afternoon after the third ringing of the bell, he shall read a short chapter, or one of the Psalms of David, as the congregation are assembling, and before divine service commences, shall introduce it, by the singing of a Psalm or Hymn.

II. When the minister shall preach out of town, he shall be required to read twice before the congregation, from the book commonly used for that purpose. In the afternoon he shall also read a sermon on the explanation of the catechism, according to the usage and practice approved by the minister. The children, as usual, shall recite their questions and answers out of the catechism, on Sunday, and he shall instruct them therein. He, as chorister, shall not be required to perform these duties, whenever divine service shall be performed in Flatlands, as it would be unsuitable, and prevent many from attending there.

III. For the administration of Holy Baptism, he shall provide a basin with water, for which he shall be entitled to receive from the parents, or witnesses, twelve styvers. He shall, at the expense of the church, provide bread and wine, for the celebration of the Holy Supper. He shall be in duty bound promptly to furnish the minister with the name of the child to be baptised, and with the names of the parents and witnesses. And he shall also serve as messenger for the consistory.

IV. He shall give the funeral invitations, dig the grave, and toll the bell, for which service he shall receive for a person of fifteen years and upwards, twelve guilders, and for one under that age, eight guilders. If he should be required to give invitations beyond the limits of the town, he shall be entitled to three additional guilders, for the invitation of every other town, and if he should be required to cross the river, and go to New York, he shall receive four guilders.

**SCHOOL MONEY.**—He shall receive from those who attend the day-school, for a speller or reader, three guilders a quarter, and for a writer, four guilders. From those who attend evening school, for a speller or reader, four guilders, and for a writer, six guilders shall be given.

**SALARY.**—In addition to the above, his salary shall consist of four hundred guilders, in grain, valued in Seewant, to be delivered at Brooklyn Ferry, and for his services from October to May, as above stated, a sum of two hundred and thirty four guilders, in the same kind, with the dwelling house, barn, pasture lot and meadows, to the school apper-

taining. The same to take effect from the first day of October, instant.

Done and agreed upon in Consistory, under the inspection of the Honorable Constable and Overseers, the 8th of October, 1682.

I agree to the above articles, and promise to perform them according to the best of my ability.

JOHANNES VAN ECKKELEN.

In the Dutch period all private schoolmasters were required to be duly licensed by the civil and ecclesiastical authorities. This requirement, in substance, was continued and enforced by the English. We quote as follows :

INSTRUCTIONS TO GOVERNOR DONGAN, GIVEN AT WINDSOR, MAY 29TH, 1686.

38. And wee doe further direct that noe Schoolmaster bee henceforth permitted to come from England & to keep school within Our Province of New York without the license of the said Archbishop of Canterbury ; and that noe other person now there or that shall come from other parts, bee admitted to keep school without your license first had.

Similar instructions were given to Gov. Sloughter, January 31, 1689; Gov. Fletcher, in 1691; to the Earl of Bellomont, August 31, 1697, and to Gov. Hunter, December 27, 1709, except that the Bishop of London, instead of the Archbishop of Canterbury, was named in each of these cases. Soundness in the beliefs and practices of the English Church was especially required.

The licenses to teach school have generally been issued by the authority of the Colonial officers; but we now find one granted by municipal authority as early as January, 1700 :

Att a meeting of ye Mayor, Aldermen and Common Council held in ye City Hall of Albany, ye 23d of January 1700.

The request of Cornelis Bogardus by ye mouth of Mr. Willm de Meyer to be admitted a schoolmaster for ye City is taken into consideration and unanimously doe graunt ye same, as also a freeman of this City upon his arrivall.

On the 27th of November, 1702, "An act for the encouragement of a Grammar Free School in the City of New York," was passed by the General Assembly of the province. This is believed to be the first legislative act for the encouragement of public education passed within the colony. "One able, skilfull and orthodox person" was to be the schoolmaster; "youth and male children of French and Dutch extraction, as well as of English," were to receive instruction "in the languages or other learning usually taught in Grammar schools," and £50 annually were to be paid the said schoolmaster, who was to be licensed by the Bishop of London or the Governor of the province, upon the recommendation of the Com-

mon Council of New York City. Lord Cornbury gave his official approval to the act, but it is not in evidence that he took any interest in the school. Under date of April 25, 1704, he licensed George Muirson to teach English, Latin, Greek, writing and arithmetic, and gave an order for the payment of his half-yearly salary, October 20, 1704. Soon after the schoolmaster left for England and Andrew Clarke was licensed as his successor several months later. But that he ever taught does not appear. The act limited the school to seven years, and we hear no more of it. It seems to have failed of success. Nor is it worthy of mention, except as one step, however faltering, on the part of the people, to secure benefits for themselves and their children. It is, also, an interesting fact in our history to put on record that John Abeel, member of the General Assembly from Albany County (1702-04), was one of the committee that reported the bill to the House.

Cornbury was ever ready to sign his name to licenses, accompanied by feathery displays of titles, because the times seemed to call for schoolmasters. Several licenses were granted to candidates for teaching in towns on Long Island, in Westchester, in Kingston and New York cities during the administrations of Cornbury and Hunter. But we find but little said of the schools. Some of the teachers are found, soon after the date of their licenses, in speculative trade, in subordinate public office, in brawls and lawsuits, either as plaintiffs or defendants, or in taking clerical orders in the church. It is evident that families of wealth and political position took but little interest in public schools; their taxes went to support them, and the children of the poor attended them. The poor then had no votes; yet they had a strength to which some respect must be paid. That respect was paid mostly in promises.

A Dutch schoolmaster seems to have been employed at Kinderhook as early as 1702, as appears from the following certificate in favor of Mr. Van Kleck:

KINDERHOOK the 30th Novemb., Anno Domini 1702.

In the first year of the Reign of her Majesty ANNE, Queen of England, Scotland, Ireland and France, Defender of the Faith, We the undersigned inhabitants of Kinderhook patent acknowledge and Declare that Paulus van Vleg during the whole of the time that he hath resided here and since he was accepted as Precentor and schoolmaster of our Church hath truly comported himself to the Great content of our congregation.

YOHANNES VAN ALLEN,  
COENRAST BORGHGARDT,  
ABRAM VAN ALSTYN,  
ZAMMERT VAN VANSAN.

An early Albany schoolmaster has, perhaps, no other memorial of service in this capacity than the following:

At a Common Council held in ye Citty Hall of Albany this first of May, 1703.

Evert Ridder of the Citty of Albany makes his humble application to the Mayor, Aldermen and Assistance to be permitted to teach schoole in the Citty aforesaid, which request is taken into consideration, and granted accordingly.

Nearly twenty years later we find the following:

Att a Common Council held in the City Hall of Albany, the 8th day of April, 1721.

Whereas it is very requisite and necessary that a fitt and able Schoolmaster settle in this city for teaching and instructing of the youth in speling, reading, writeing and cyf-fering, and Mr. Johannis Glandorf having offered his service to settle here and keep a school if reasonably encouraged by the corporation, It is therefore Resolved by this Commonalty, and they do hereby oblige themselves and their successors to give and procure unto the said Johan's Glandorf free house rent for the term seven years next ensuing for keeping a good and commendable school as becomes a diligent Schoolmaster.

That a "diligent schoolmaster" was "very requisite and necessary" at that time is made patent by this very document of the City Fathers.

It afterward appears that Mr. Glandorf complained that the house assigned him was too small, and, on his petition, the Common Council, on the 21st of July, 1721, resolved to hire for him a larger house at £10 per annum, to commence in the next November. After this, we hear no more of Glandorf or his school.

Passing over all these feeble efforts in the cause of public education, it is proper for us here to say that no effort seems to have been made to revive this free school act of 1702, nor to make like provisions by law for the encouragement of schools of any kind, for a period of more than 30 years afterward. Nor do we find any record whatever of legislation in the interests of primary education during the colonial history of the State, nor until after the State became one of the United States of America.

The common schools, as intimated previously, gave little attention to any except the most common branches, such as spelling, reading, writing and the fundamental rules of arithmetic in their simplest applications to accounts. Much attention was given to the catechisms and formulas of religion as taught in the dominant church. The Ten Commandments, Lord's Prayer and other portions of the Bible were taught. The Apostles' Creed was sometimes included.

The study of the mathematical sciences was generally regarded as more important than the studies of nature, belles-lettres and language. The private schools of the highest order were expected to teach arithmetic, algebra, geometry, trigonometry, surveying, gauging and navigation. Very little attention was given to geography and the natural sciences. Little was known of them.

In the cities, some French, fancy work, dancing, formal religion and social formulas, with a little English language and literature, were taught in one class of private schools. In another class, boys were taught something of Latin, Greek and practical mathematics, with grammar rules and reading, spelling and writing. The student of ancient documents and records must see, in the bad penmanship, miserable spelling and imperfect or barren sentences, how little was acquired in these schools.

But the people of that day had much physical activity and energy, with much keenness and acute observation. They were fully alive to the opportunities in their way, and had about all the learning that their times and situation demanded. Schools and books and teachers and a broader and deeper mind culture were sleeping in a future, in the dawning only of which, we may hope, we are now living. The world moves slowly; but it moves. We must speak charitably as well as truly of the past, modestly of the present, and hopefully of the future.

The venerable "Society for the Propagation of the Gospel in Foreign Parts," incorporated in the year 1701, sent many missionaries to this province until nearly the period of the Revolution; and, at the suggestion of Col. Caleb Heathcote, furnished a number of schoolmasters for various settlements of the province, during a period of more than fifty years. The following extracts from the official history and reports of the society more fully exhibit the facts on this subject.

One of the first acts of the society was to send to the English colonies on this continent, a missionary to make personal examination. The person selected was the Rev. George Keith, whose journal relative to this tour is contained in the "Collections of the Protestant Episcopal Society."

After Mr. Keith came over and had made a survey of the field before him, he, in conjunction with the few clergymen then in the northern part of the colony, made the following statement in November, 1702:

NEW YORK.—There are some counties, five of which are inhabited by Dutch and those of Dutch extraction, viz.: Albany, Ulster, Dutchess, Orange and King's County, in

which the Church and Church of England Schools have not yet been settled, but the Presence of the present Governor of that Province, his Excellency the Lord Cornbury, has mightily influenced many of the people of the said counties to desire that Church of England Ministers and schoolmasters may be sent amongst them; particularly Albany representatives have desired his Lordship that an English Schoolmaster might be established in that county. \* \* \* This Province, though it hath a great number of inhabitants, could never yet obtain a public legally Established School.

A provision is made by law for six ministers. There is yet no provision for Schoolmasters made by law, though by the zealous recommendation of the Lord Cornbury to the general Assembly, a legal maintenance is undoubtedly expected, and till then the Church of England Schoolmaster in the county of New York, as heretofore, will be supported by the voluntary contributions of those whose children are instructed by him; notwithstanding it is humbly conceived that an annual Pension for the support and further encouragement of some Ministers and Schoolmasters in poor Towns will be of great use and service to the Church.

No School house yet erected in this Province.

In all these Counties where the Church is established by the law of this Province, the People generally are in a readiness to embrace the Doctrines and Worship of the Church, and to Encourage Free Schools.

Col. Heathcote seems to have conceived a plan for the establishment of schools throughout the province, having written to the Secretary of the "Venerable Society," under date of April 10, 1704, as follows:

I had once formed a projection for fixing schools in this country for the benefit of all the youths therein, in order to their being trained up, not only in learning but in their tender years to ingraft them in the Church, but the storm which was lately raised upon me concerning church affairs, made me lay the thought of it aside for a while. However, if God is pleased to spare my life a little longer, I will, with His assistance, set it on foot, and hope it will be blessed with its desired effect.

This society was very active, not only in educating the youth of the Church, but in furnishing opportunity everywhere in the province to people of every kind, even negroes and Indians, for acquiring the elements of temporal knowledge and lessons in religion as taught in catechisms, horn-books and primers. Efforts were made to teach the Mohawks and other Iroquois tribes for many years, but with little success. Their wild and perverse nature, their roving, restless life, were all against the missionary and the schoolmaster. They, after several years of faithful trial, "abandoned this miserable race of men." This was in 1718. Some fifteen years later, further efforts to instruct the Indians were made, with better success.

The following specimen quotations from the society's annual "Abstracts of Proceedings" are of interest in this connection:

Besides the Missionaries, there has been a great Demand upon them for Catechists and School-Masters to Instruct not only the Servants and Slaves (who have heretofore lived as without God in the World) but also the Children of the Planters, especially the poorer sort, in Reading, Writing, and the Principles of the Christian Religion, as Taught and Professed in the Church of *England*; but the Narrowness of their fund having obliged the Society to send but few of these, a worthy member of their body, Colonel *Heathcote* of *New York*, has suggested an expedient of maintaining a great many more School-Masters, at the easy rate of Five or Six Pounds *per annum*, which the Society has most readily embraced, and referred it to the Governor himself, and the Missionaries of that Province, to put the proposal into practice.

Mr. *Hudleston*, Schoolmaster at *New York*, teaches fifty poor children on the Society's Bounty to read and write, and instructs them in the Church Catechism, many of which are now fit for any Trade; and as they go off, his number is always kept up, poor People daily coming to see if there is any vacancy to admit their Children, being not able themselves to pay for their Learning.

The Society also have received an Account from Mr. *Peasley*, in 1731-33, Schoolmaster at *Albany*, in the Province of *New York*, That he hath lately instructed 8 negroes, *viz.*: 6 Adults and 2 Children, who have been baptized by the Reverend Mr. *Mild*, the Society's Missionary at *Albany*.

Mr. *Noron*, the Schoolmaster, writes from *New York*, August 6, 1738, That he hath upwards of fifty poor Children, whom he teaches to read, write and cypher upon the Society's Charity; and brings to *Trinity Church*, on *Wednesdays*, *Fridays* and Holy Days, to be catechised. He adds, there is great want of Common Prayer-Books and Psalters.

And as the maintenance of a learned and orthodox Clergy abroad, though the principal, is not the only Intent of this Corporation, but they are also to make such other Provision as shall be found necessary for the Propagation of the Gospel in Foreign Parts: The Society have done all in their power to encourage the setting up of Schools, that the rising Generation may be brought up in the Nurture and Fear of the Lord, and they give Salaries to three Catechists and twelve Schoolmasters for this purpose.

We give a few extracts from the standing orders of the Society for the Propagation of the Gospel in Foreign Parts relating to the schoolmasters:

I. That no person be admitted a Schoolmaster, till he bring Certificates, with respect to the Particulars following:

1. The Age of the Person.
2. His Condition of Life, whether Single or Married.
3. His Temper.
4. His Prudence.
5. His Learning.
6. His sober and pious Conversation.
7. His Zeal for the Christian Religion and Diligence in his Calling.
8. His Affection to the present Government.
9. His Conformity to the Doctrine and Discipline of the Church of *England*.

II. That no Person be sent, as a Schoolmaster by the Society, till he has been try'd and approv'd by Three Members, appointed by the Society or Committee, who shall testify, by Word or Writing, his Ability to teach Reading,

Writing, and the Catechism of the Church of *England*, and such Exposition thereof, as the Society shall order.

Instructions for schoolmasters employed by the Society:

I. That they well consider the End for which they are employed by the Society, *viz.*: The instructing and disposing Children to believe and live as Christians.

II. In order to this End, that they teach them to read truly and distinctly, that they may be capable of reading the Holy Scriptures, and other pious and useful Books, for informing their Understandings and regulating their Manners.

III. That they instruct them thoroughly in the Church-Catechism; teach them first to read it distinctly and exactly, then to learn it perfectly by Heart; endeavoring to make them understand the Sense and Meaning of it, by the Help of such Expositions, as the Society shall send over.

IV. That they teach them to Write a plain and legible Hand, in order to the fitting them for useful Employments; with as much Arithmetick, as shall be necessary to the same Purpose.

V. That they be industrious, and give constant Attendance at proper School-Hours.

VI. That they daily use, Morning and Evening, the Prayers composed for their Use in this Collection with their Scholars in the School, and teach them the Prayers and Graces composed for their Use at Home.

VII. That they oblige their Scholars to be constant at Church on the Lords-Day Morning and Afternoon, and at all other Times of Publick Worship; that they cause them to carry their Bibles and Prayer Books with them, instructing them how to use them there, and how to demean themselves in the several Parts of Worship; that they be there present with them, taking Care of their reverent and decent Behaviour, and examine them afterwards, as to what they have heard and learned.

VIII. That when any of their Scholars are fit for it, they recommend them to the Minister of the Parish, to be publicly Catechized in the Church.

IX. That they take especial Care of their Manners, both in their Schools, and out of them; warning them seriously of those Vices to which Children are most liable; teaching them to abhor Lying and Falsehood, and to avoid all Sorts of Evil-speaking; to love Truth and Honesty; to be Modest, Gentle, Well-behav'd, Just and Affable, and Courteous to all their Companions; respectful to their Superiors, particularly toward all that minister in holy Things, and especially to the Minister of their Parish; and all this from a Sense and Fear of Almighty God; endeavoring to bring them in their tender Years to that Sense of Religion, which may render it the constant Principle of their Lives and Actions.

X. That they use all kind and gentle Methods in the Government of their Scholars, that they may be lov'd, as well as fear'd by them; and that when Correction is necessary, they make the Children to understand, that it is given them out of kindness, for their Good, bringing them to a Sense of their Fault, as well as of their Punishment.

XI. That they frequently consult with the Minister of the Parish, in which they dwell, about the Methods of managing their Schools, and be ready to be advised by him.

XII. That they do, in their whole Conversation, shew themselves Examples of Piety and Virtue to their Scholars, and to all, with whom they shall converse.

The labors of these schoolmasters and catechists seem to have been very self-denying, devoted and useful. They continued from about 1702 to 1776. The annual salaries paid varied between £7 and £50, the clergy receiving the highest salary.

Says Rev. Dr. Berrian, speaking especially of Trinity Church :

There is nothing with which I have been so much struck and impressed, in the investigation of the early history of this Parish, as the zeal, the earnestness, and devotedness of the schoolmasters and catechists of that day. The former appear to have been selected from among the laity with great caution and care, and to have been persons of respectability and worth. The latter were occasionally laymen, but more commonly such as were preparing for holy orders, or who had actually received them. Some of these were men of liberal education, who in the commencement of their professional life were full of promise, and who ended it with respect and honor. But they all seem to have entered with the same spirit upon their humble labors, and to have prosecuted them with a patience, an interest and a blessed result, which put ours to shame at the present day. Intellectual was not then, to the extent that it is now, separated from religious improvement, but both went hand in hand throughout the week. The whole of early life was, in a certain measure, devoted to Christian instruction, and not merely reserved for the scanty intervals between the hours of worship on the Lord's Day.

It is delightful to observe, in the annual reports of the schoolmasters and catechists to the Society for the Propagation of the Gospel, with what cheerfulness and industry they appear to have labored in their useful but lowly employment.

We have given enough to show that, however lowly and incomplete were the labors of the schools of this society for the education of the children of the humbler classes in this State for the first three-quarters of the last century, the work was a noble one, and is specially deserving as it was about the only work of the kind that was pursued with zeal and patience during this long period of general disturbance in public affairs. The instruction was purely elementary. John Adams, who visited Rye in 1774, where this society supported a school from 1707 to the period of the Revolution, says: "They have a school for writing and cyphering, but no Grammar School." Rye belonged to Connecticut until 1683, and its schools in its early history, we infer, were not inferior to those of any other settlement in the province of New York.

The establishment, in 1773, of "a public school to teach Latin, Greek and Mathematics, in the City of New York," under authority of an act of the General Assembly of the province, may be regarded as an event of considerable interest in the history of public education in this colony; though, like the Grammar Free School of 1702-1709, it

seems to have flourished during a period of only about seven years. Both the schools referred to may have been vitally, if not formally, connected with the repeated proposals and attempts, beginning as early as 1703, to found a college in this province; though of this there seems to be no official evidence.

This latter school was incorporated, October 14, 1732, with Alexander Malcolm as schoolmaster. He was required to admit and teach gratis as many as twenty youths, apportioned among the ten counties, of which Albany County had two assigned. Candidates were not to be under 14 years of age, to have been "well instructed in reading and writing of English," and to be recommended by the Justice of Sessions, or by Mayor, Recorder and Alderman in cities.

This act was renewed for one year, amid much opposition, December 1, 1737. The members for Albany County, Col. Rensselaer and Col. Schuyler, favored the bill. Its conditions were not essentially changed.

Female teachers were not plenty, as nearly as we can learn, in the early history of New York; not one do we find in New Netherlands. Some appear in the schools of Long Island and Westchester, where were many settlers from New England, in the latter part of the seventeenth century. They were, no doubt, importations from Connecticut, where females were early employed, especially in the summer schools. One writer thinks that Rachel Spencer, who taught school in Hempstead, and died in 1687, was the first schoolmistress on record in the provinces; and that the nameless "traveling woman who came out of ye Jerseys, and kept school at several places in Rye Parish," about 1716, was second schoolmistress in the provinces, of whom we have any record. In this, however, we think, he errs; as, in an old account book noticed by Mr. H. Onderdonk, in Flushing, the book-keeper, in 1681, reckoned with Elizabeth Cowperthwaite, about "schooling and diet for children," and in 1683, with Martha Johanna "upon an agreement for thirty weeks schooling, paid for by a red petticoat." In 1685 Goody Davis keeps schools at Jamaica in "a little house," soon after used "as a shoppe."

At a much later period, the girls in Mr. Hildreth's school, at New York City, "in the afternoon learned to write, being the rest of the day under the care of a schoolmistress employed by the Vestry," by whom they were "taught needle-work."

Who was the first schoolmistress in Albany County? We have, thus far, asked in vain.

Some are and must be brighter and greater than the rest. While wealth is no measure of wit or learning, it affords larger opportunities for the culture of whatever tact or talent may be native. And as long as learning adds grace to riches and respect to public and social position, it will be sought by families who have money to aid in its attainment.

Hence, the children, especially the sons, of the wealthy families of the colonial period in this State were often placed under a private tutor, who, sometimes, was the parish clergyman. Tuition schools, usually of only temporary duration, were established in the larger towns, especially in New Amsterdam, to which the favored children of fortune resorted.

Under the English Government, private or subscription schools were to be found all over the country. In some neighborhoods Dutch was taught.

Before the Revolution, if but little attention was given to the mental culture of young men in the schools, there was still less given to the young women. Most in the humbler walks of life regarded themselves as born to household drudgery. Beyond this few attained. In the realm of letters they were usually ambitionless. Many bright daughters, who married worthy men and became excellent wives and mothers, could read only simple reading and rarely write at all, or, if at all, only their names.

Those who attained more than this were usually daughters of men of fortune and unusual intelligence, who early manifested marked fondness for knowledge and tact in acquiring. They learned of parents or older brothers at home, or of private tutors. Observation, books and conversation did much for girls of active minds who had access to these great educators.

As a remarkable illustration of a woman of those days educated without the "advantages" of schools, we quote what Mrs. Grant tells us, in her "Memories of an American Lady," of Miss Margaretta Schuyler, who afterward became the wife of her cousin, Col. Philip Schuyler, and the honored Madame Schuyler. Her mind from her earliest years was distinguished for maturity and remarkable aptness. Its culture came about by the keen appreciation of her talents and the wise direction of her mental training by her uncle, Col. Peter Schuyler, after the early death of her father, Col. John Schuyler. "He was at the pains to cultivate her

taste for reading which soon discovered itself, by procuring for her the best authors in history, divinity and belles-lettres. The few books of this kind that she possessed were very well chosen; and she was early and intimately familiar with them. Whatever she knew she knew to the bottom; and the reflections which were thus suggested to her strong, discerning mind were digested by means of easy and instructive conversation." Col. Schuyler was acquainted with the families of rank in New York, where he had many relatives. Spending a portion of every winter there, "he often took his favorite niece along with him," who soon attracted attention by her personal graces as well as by the charms of her conversation." Here she was much admired, because such "cultivation and refinement were rare"—out of the routine common to young women of her time—and she had a mind strong enough to bear the admiration bestowed upon her without the conceit and pedantry of weaker minds. She was never taught that the great motive to excelling was to "dazzle or outshine others; she never thought of despising her less fortunate companions, or of assuming superiority over them. Her acquisitions were never shaded by affectation."

Such was "Aunt Schuyler" of Albany in her early womanhood, according to one who wrote of her, long years after, as the model "American lady." She was a queen all her life in the wide circle that knew her. The women she lived among "were all natives of the county, and few had more than a domestic education." But men who possessed the advantages of early culture and usage of the world daily arrived in New York and Albany. "Female elegance" in the colony was not common. Says Mrs. Grant: "The supply was not equal to the demand." Mrs. Schuyler received due attention. "She was respected for the strength of her character, the dignity and composure of her manners," her unusual mental culture and her practical common sense.

"The Mohawk language was early familiar to her. She spoke Dutch and English with equal ease and purity; was no stranger to the French tongue, and could read German." And yet we do not find that she ever attended a fashionable ladies' school.

"Books are, no doubt, the granaries of knowledge; but a diligent, inquiring mind, in the active morning of life, will find it strewn with manna over the face of the earth, and need not, in all cases, rest satisfied with intelligence accumulated by others, and tinctured with their passions and prejudices. Whoever reads Homer and Shake-

speare may daily discover that they both describe nature and art from their own observation.

"The enlarged mind of 'Madame Schuyler' and her simple yet dignified manners made her readily adapt herself to those with whom she conversed, and everywhere command respect and kindness, and, on a nearer acquaintance, affection followed. But she had too much sedateness and independence to adopt those caressing and insinuating manners by which the vain and artful soon find their way into shallow minds. Her character did not captivate at once, but gradually unfolded itself. You always had something new to discover. Her style was \* \* \* without the least embellishment, and at the same time so pure that everything she said might be printed without correction, and so plain that the most ignorant and most inferior persons were never at a loss to comprehend it. It possessed, too, a wonderful flexibility; it seemed to rise and fall with the subject. I have not met with a style which to a noble and uniform simplicity united such variety of expression. Whoever drinks knowledge pure at its sources, solely from the delight in filling the capacities of a large mind, without the desire of dazzling or outshining others; whoever speaks for the sole purpose of conveying to other minds those ideas from which he himself has received pleasure and advantage, may possess this chaste and natural style. But it is not to be acquired by art or study."

We have given this example of Miss Schuyler, afterward known as Madame Schuyler, as an exhibition of the best type of an educated woman in the New York colonial period, before the formation of our government, when female education was generally little thought of, when scarcely any public provision for it was made. She was an Albany lady. She lived in the days of our grandmothers. The methods of her education, the use she made of it, and its reflex influence on her character, are deserving the careful consideration of the girls of this generation, when the avenues to knowledge are as plenty and free as water.

Lossing, in his *Life and Times of Gen. Philip Schuyler*, tells us that young Schuyler (born in 1733), when a little more than 14 years of age, "had studied the ordinary branches of a plain education under the instruction of his mother, for the schools of Albany were very indifferent. He also had the advantages of listening to the conversation, and perhaps actually receiving instruction from educated French Protestants, who had ever been welcome visitors to the mansion of Gen.

Schuyler at the Flats. He received some instruction in the science of mathematics from one of those Huguenots who may have been employed as a private tutor in some wealthy families at Albany."

Young Schuyler's education was directed toward a mercantile life. He was sent to school, when 15 years of age, to New Rochelle, in Westchester County, among the sons of French Huguenots and New York merchants. At that time, no class of people in the province was more thrifty and progressive; none had superior culture in good manners and the learning of the day. They were religionists of the John Calvin school, and were matched only by the Puritans in their zeal for mental and spiritual progress, and for the rights of conscience and popular government. This school, kept among those French refugees of the latter part of the seventeenth century and their descendants, was the only one in New York, at that time, where was taught the French language, and few, if any, taught so well other subjects needed by an intelligent merchant. Its principal, Rev. Mr. Stoupe, was a Swiss, and pastor of the French Protestant Church of the settlement. Three years later, Schuyler was spending his summers among the hunters and trappers of the upper Hudson. He became influential among the Indians. He spent several weeks every autumn and winter with his relatives and friends in the City of New York, where he found congenial society. Large landed estates soon demanded his care, and the affairs of his country demanded his influence, his wealth, his talents and his acquirements of head and heart. He is given here as one of the best examples of the methods and influence of the education of his times among the young men of good family and ample means, and who were not aiming at law, medicine or divinity.

Schools in New York were of a very low order as late as 1760. Said a writer of that time: "The instructors want instruction, and through a long, shameful neglect of all the arts and sciences our common speech is extremely corrupt, and the evidences of bad taste as to both thought and language are visible in all our proceedings, public and private." Reading was neglected by all classes; education was regarded as an affectation of learning, and a student was rarely found outside the professions of law, medicine and divinity.

Some few of the young men were sent over to Europe for education. They belonged to families of wealth or social and political influence. There were no higher schools for the people—for the poor and toiling classes. If they obtained rank by

learning, wealth and title, it was the expression of an irrepressible energy that nothing human could resist. Such expression has become common all over our country now.

Commerce engrossed the energies of the principal families of New York, in provincial times, as we have often had occasion to say. It was the surest avenue to wealth and social distinction. The young men destined to these pursuits attended schools for teaching writing and accounts; went thence to the counting room; and, in due time, were sent on some short trading trip, usually to the West Indies. Affairs, society and the activities of the day did the rest.

The leading hindrances to the promotion of learning, especially of the masses, during the whole English colonial period, may be summed up as follows:

1. The helplessness of the working classes. A large portion regarded themselves as born to ignorance and servitude, as powerless of influence, and destined to nothing but lives of drudgery. Such were most of the tenants, farm laborers and ordinary mechanics and traders in Albany County.

2. The general indifference of the officers and friends of royalty to anything that could elevate the masses. Education set people to reading and thinking, as it did in New England. It led them to know their rights, and knowing, to dare resist tyranny and assert popular sovereignty. Royal governors were afraid of schools for the common people.

3. The aristocratic class, which possessed wealth and some learning, were fond of association with men of royal rank, fond of having dependants, eager for increase of wealth and power. They were quite willing to keep the poor in blissful ignorance and poverty. They disliked paying taxes for schools, and despised labor.

4. Wars, and rumors of war, characterized all this period. These called for forts and munitions of war, for training for war, and for active service against the enemy. The arts of peace were neglected or perverted. Schools were hindered when contemplated, and interrupted when in operation. So things continued until the close of the Revolutionary war. Then men began to think and read and talk of rights and duties.

#### HIGHER AND PROFESSIONAL EDUCATION.

There were no schools of medicine, law or divinity; no normal schools for teachers. The young disciples of Esculapius used "to ride" with "the old doctor," and visit with him his bedside

clinics, and witness his office consultations and treatment. Coke and Blackstone were read in the office of some eminent knight of the green bag; and young aspirants sat at the feet of some learned Gamaliel and listened to his wisdom, took in his advice, and saw how he managed causes in the courts. But it is said that Albany had no professional lawyer for over 100 years. Students who contemplated the ministry read courses in theology in "the study" of some leading clergyman, and prepared sermons subject to his criticism. The clergy often gave academic instruction to those who came to them, especially to young persons of their parochial charge.

Gov. Montgomerie had the largest private library in the province of New York previous to the Revolution. It numbered 1,341 volumes. Judge Smith, the historian, had a library of about 1,000 volumes, including his law books. The first law library we hear of was that of Broughton, Attorney-General, 1701 to 1705, which contained only 36 volumes. In 1730, Dr. Millington, of England, bequeathed a thousand volumes to the "Society for the Propagation of the Gospel in Foreign Parts," which was sent to New York City, and kept in the old City Hall, for the use of the clergy and gentlemen of New York, and the neighboring governments of Connecticut, New Jersey and Pennsylvania, upon giving security to return them. In 1754, 700 volumes of well-selected books were purchased by subscription, for the commencement of a public library, which was the origin of the New York Society Library. The libraries of our own city and county, and of more recent times, will receive attention later.

According to Judge Campbell, in his *Annals of Tryon County*, Rev. Samuel Dunlop, of the Scotch-Irish race, educated at Edinburgh, came to Cherry Valley, as pastor of the Presbyterian Church there, in 1741. He opened a school for the instruction of boys in the classical and other branches of higher education, which continued for many years. It was the first school of this grade west of Albany. His boys were received into his house and made a part of his family. They came from Albany, Schenectady and other towns along the Mohawk and Hudson. Some of them became conspicuous during the trying times of the Revolution.

There were but few academies in this State where higher and classical studies were pursued before the nineteenth century dawned. The boys went to the New Rochelle School for French and business training. In Kingston, Kinderhook and Schenectady they pursued studies preparatory to college.

Academies were established in various parts of the State soon after the Revolution, among which were Dutchess County, Canandaigua, Erasmus Hall, East Hampton, Farmer's Hall, Jownstown, Lansingburg, Montgomery, Oxford, Union Hall and Washington, furnishing increased facilities for higher instruction.

Albany Academy, for boys, was incorporated in 1813, and has always held a high rank and been a great force in the educational movements in this county. A more detailed history will appear in the City of Albany.

Rensselaerville Academy, now taught by Prof. B. F. Eaton and wife, has long been in operation, has taught a teachers' class for many years, and has been well attended and done good work in the southwest part of our county, reflecting the intelligence and good sense of its Yankee founders.

Knoxville Academy has done much to promote intelligence in the Town of Knox and vicinity. During the late war of rebellion eleven had entered, from among its students, into the military service for the Union.

Coeymans Academy, established in 1858, prospered under the Misses Brace and Thomas McKee. There has been, during these last eighty years, select schools and various institutions for educating the young in New Scotland, Watervliet and other towns in the county, useful, no doubt, but brief in duration.

After the conquest of New Netherlands by the English, no encouragement was given to the subject of education by the Colonial Government. For almost a century "there was no institution in the province where an academic education could be acquired."

The historian, Chief-Justice Smith, referring to this matter, while making allusion to the action of the Legislature of the State in 1746, authorizing the raising of £2,250, by lottery, for founding a college, says: "To the disgrace of our first planters, who beyond comparison surpassed their eastern neighbors in opulence, Mr. DeLancey, a graduate of the University of Cambridge, England, and Mr. Smith were for many years the only academics in this province except such as were in holy orders." Although about one hundred and twenty years had passed since the Dutch had commenced the settlement of New Amsterdam, and about eighty years since it came under the English Crown, the above lottery law was the first legislative movement toward founding a college in the present territory of New York State.

Harvard, Yale, William and Mary and other early American colleges became the first nursing mothers of some of the boys of the province of New York. A careful examination of general catalogues gives us the names of those who were graduates of American colleges, natives or residents of New York, prior to the year 1800. We may have omitted some few; but the list at best indicates the great difference in favor of New England in the zeal for higher education in those years. Some of these graduates were New Englanders, who came to New York after graduation; some less known to fame are, no doubt, omitted.

The graduates from Harvard were Benjamin Pratt, 1737; Samuel Auchmuty, 1742; John Van Home, 1744; Daniel Treadwell, 1754; Philip Livingston, 1755; Peter Livingston, 1757; Rufus King, 1777; John Jeremiah Van Rensselaer and Stephen Van Rensselaer, 1782; Ambrose Spencer, 1783; John Thornton Kirkland, 1789.

From Yale, Samuel Johnson, 1714; William Smith, 1719; Peter Van Brugh Livingston, 1731; John Livingston, 1733; Henry Barclay, 1734; Benjamin Nicoll and William Nicoll, 1734; Jacob Cuyler and Philip Livingston, 1737; William Livingston, 1741; Samuel Buel, 1741; Hendrick Hans Hansen and William Peartree Smith, 1742; William S. Johnson, Caleb Smith and Benjamin Woolsey, 1744; John Morin Scott, 1746; Richard Morris, 1748; Gideon Hawley, 1749; Thomas Jones, 1750; Ezra L'Hommedieu, 1754; John Sloss Hobart, 1757; John H. Livingston, 1762; Stephen Van Rensselaer, 1760; John De Peyster Douw, 1777; James Kent, 1781; Francis Bloodgood, 1787; John Woodworth, 1788; Samuel A. Foot, 1797.

From Princeton, John McKesson, 1753; Peter R. Livingston, Philip P. Livingston and Jeremiah Van Rensselaer, 1758; Peter V. B. Livingston, 1756; Samuel Kirkland, 1765; Aaron Burr, William Linn and William S. Livingston, 1772; Morgan Lewis and John Blair Smith, 1773; Henry B. Livingston, 1774; Henry P. Livingston, 1776; Edward Livingston, 1781; Derrick Ten Eyck, 1782; Nathaniel Lawrence and Jacob Radcliff, 1783; Abraham Ten Broeck and Peter R. Livingston, 1784; John V. Henry, 1785; Maturin Livingston and Peter William Livingston, 1786; Smith Thompson, 1788; Jacob Ten Eyck, 1792; John H. Hobart, 1793; Abraham Ten Eyck, 1795.

From Rutgers, Simeon DeWitt, 1776; Pierre Van Cortlandt, 1783.

From Kings, now Columbia, Philip Van Cortlandt, 1758; Philip Livingston, 1760; John Jay, 1764; Eg-

bert Benson and Robert R. Livingston, 1765; Henry Rutgers and John Watts, 1767; Benjamin Moore, Gouverneur Morris, John Stevens, Gulian Verplanck and Peter Van Schaick, 1768; Alexander Hamilton, 1774; DeWitt Clinton, 1786; John W. Yates, 1787; Samuel Jones, 1790; Alexander Proudfit, 1792; John Forbes, 1794; Daniel D. Tompkins, John B. Romeyn, Rensselaer Westerlo, 1795, and others less known to the public. Taken all in all, the early sons of these early colleges were a Titanian progeny; sons of thunder born in tempestuous times and for great emergencies.

The intelligent student of local history will notice that a good proportion of these graduates were natives of Albany County, or were identified with it as their home or by their distinguished public careers while residents.

The first graduating class of King's College was in 1758, and numbered seven. From 1776 to 1786 there were no graduates, the college buildings having been taken for military purposes. This institution, the first of the kind in the State, has produced many patriots, statesmen, divines and scholars who have reflected honor on the college and given useful lives to the State. Its first medical class graduated in 1769. In 1797, it gave Albany Dr. William Bay. It early contributed to rendering the science and practice of medicine more respectable than it had hitherto been.

But sectarian feeling, as well as the all-absorbing struggle for freedom at that period, did much to retard the early growth of the college. The Episcopal Church had the political power under the Royal Government; but the Dutch Reformed and Presbyterian Churches were a power among the masses, and had much wealth and influence. There was great jealousy of a church establishment, especially of a church that had a bishop at its head. William Livingston led the opposition, but not as against all religion. In that day, the divorce between learning and religion was not thought of. The State had authorized a lottery, in 1746, which realized about £3,500. This was to go for founding a college. The opposition to the charter was virulent, and based on the principle that it ought not to be controlled by any one sect, as its funds were raised under State law for a non-sectarian college.

Something of the character of the times is shown by the remark made by Rev. Dr. Johnson, President of the College, in 1762, that "it is a great pity, when patents are granted, as they often are, for large tracts of land, no provision is made for religion or schools."

King's College, now and since 1784 Columbia, was founded in 1754, after the long colonial days of popular ignorance and official tyranny. Harvard dates its beginning in 1638, and Yale in 1701. It was not lack of wealth or power that kept home facilities for a higher education from the sons of New York. New Jersey had its Presbyterian Princeton before the Episcopal King's of New York, and its Dutch Reformed Queen's, now Rutgers, soon after. And even Dartmouth, which came near raising its voice in Albany County, appeared among the rocky hills of New Hampshire, "*vox clamantis in deserto*," as early as 1769.

The Regents of the University came in 1784; re-organized in 1787; and have ever since been the active, discreet and earnest guardians of academic, collegiate and professional learning all over the State, granting charters to academies and other schools, providing funds, encouraging sound instruction, and diffusing in various ways that "intelligence" which, as Jefferson says, "is the life of liberty." Their office is kept in Albany and all their meetings are held here.

Union College has been an important educational factor in Albany County as well as in Schenectady, for about ninety years past. Its history appears in the latter county, because it is located there. It appears that a project giving it a start as Clinton College originated in 1779. One motive is declared to have been to educate "men of learning to fill the several offices of Church and State." Among these earliest and earnest movers to establish a college in what was then Albany County were Rev. Eilardus Westerlo, Gen. Philip Schuyler and other prominent citizens of Albany. When it went into operation in 1795, seven of its first trustees were Robert Yates, Abraham Yates, Jr., Abraham Ten Broeck, Goldsbroow Banyar, John V. Henry, George Merchant, Stephen Van Rensselaer and Joseph C. Yates, all of Albany.

Eliphalet Nott graduated at Brown in 1793, and William L. Marcy twelve years later. Dr. Nott came to Cherry Valley as teacher and preacher, and thence to Albany, in 1798, as pastor of the First Presbyterian Church. From this church he went forth as President of Union College in 1804, and, for 62 years, was distinguished as a skillful manager of boys. The influence of this college upon the cause of learning in Albany County cannot be over-estimated. Some of its most talented and useful sons and citizens have been educated among its nearly 7,000 graduates. Albany Medical School, Albany Law School and Dudley Observatory, with Union College, now constitute Union University.

The law and medical schools of Albany, for many years important agencies in educating our sons, are specially mentioned in another part of our work. So, also, is the Lancasterian School, and other important schools, both public and private, that have existed in this century, or do now exist, in our capital city.

But not all the parents of Albany boys believed in a collegiate education. The following anecdote comes to us from an old Albany merchant, as illustrative of the feelings of a type of utilitarian men who are not all dead yet. Our Dutch citizen was a man of hoarded wealth, who had one only son, named Dirck. He was advised to give him an education. After some thinking, he gravely replied :

"If I educate Dirck in college, and he dies, the money I spend on him is lost."

Dirck did not go to college. He never earned any money, but was clothed and fed and sheltered by the savings of his ancestors. He was a wild boy; he drank freely and kept bad company. He died in the gutter one night, after a drunken carousal, without the expense of a college education.

It is evident, then, that previous to the Revolutionary war no general system of education was established. It was confined chiefly to the wealthy classes. The importance of schools for all the people had not been recognized in New York. All schools that were in operation were of a private character, or were incorporated by special legislation. Often favored children received instruction from the parish clergyman, or from some young student who became a sort of family tutor while pursuing his own studies. Rarely, some father, elder brother or other relative gave direction and stimulus to some bright mind which had the taste, strength of mind and energy to acquire valuable and systematic knowledge and discipline without school or schoolmasters.

In all its years of feudal power and inherited wealth, years of control by a rich company of merchants or by royal governors who grew rich by selfish rapacity, there were no free schools for the people, reckoning down to the close of the Revolutionary war, and all along the rich valley of the ever-trading Hudson from the sea to the Mohawk Flats.

Consequently, New York had no Benjamin Franklin, plebeian born and educated in the free schools of Boston.

No, nor any Samuel and John Adams, and many others of their spirit, whose first lessons were taken

in the intelligent homes and free colleges of the common people.

But this spirit of liberty could not be confined. It came to New York, especially to the city, from New England, and inspired the Sons of Liberty to resist oppression and establish freedom.

#### AFTER THE REVOLUTIONARY WAR.

The manorial lands of this county, after the Revolution, were rapidly taken up by industrious farmers, and the shops in the villages and the mills along the streams were occupied by busy mechanics. No provision had been made by the patroon for the schooling of the children. Among the early settlers upon the farms all over the county were not only the frugal Hollander, but the peace-loving Huguenot, the hardy Scot and the earnest German. Nor was the New Englander absent. Indeed, he was "all about," and couldn't be content until his children could have a school.

The Yankee schoolmaster was on hand, and a spare room of the farm-house of some well-to-do farmer was fitted up for a school a part of the year. The school was started by a voluntary agreement to pay so much for each pupil's schooling. Fuel was cheap and readily contributed by the farmers; the "master" or older pupils attended to building the fires and cleaning the school-room. The teacher "boarded around." The schools were modeled upon the plan of the country schools in the "Eastern States," from which most of the teachers and many of the patrons came.

So matters went on for many years. The boys and girls were taught spelling, reading and writing, some arithmetic, and many other useful things. Good manners were not left out. They were waked up; they were inquisitive; many of them read the weekly paper, the catechism, the New Testament, and various books that belonged in families, and were loaned to any one who would read them.

Schools of to-day, many of them, are imperfect enough in all conscience; but just consider them as they were, with very few exceptions, at the beginning of the present century, and even later.

The school-houses, if any, were usually located in one of the most God-forsaken spots that could be found, where white beans and buckwheat would not grow; on some bleak hill or on some arid or swampy place, surrounded by the drifting snows of winter or the sands and miasma of summer. If in a city, the location selected must be in some by-place, where the land was cheapest, where business was duller and dirtier, where the best families

would not be disturbed by the sight of the uncouth garb and uncultivated noise of free-school children. The rooms and surroundings were lacking in every element of health, comfort or decency. Temperature uneven, ventilation entirely disregarded, light bad for eyes, seats and desks bad for bones, muscles and lungs,—everything was provocative of weariness, disease, mischief, dullness and bad morals.

The schoolmasters were usually more noted for hate than love, for brutal severity and repulsive manners than for that magic, winning power that rules without ruining children. Few taught because they loved instruction or humanity. They stepped into some other vocation at any early opportunity. Money, learning, life, church and state have lost unmeasured values from such school-houses and school-keepers!

Later, when summer schools began to be taught by females, many might have said, as did one honest "schoolma'am," "'tis little they pays me, and little I teaches 'em." They were generally worthy dames, who taught their pupils good manners; to rise and stand when the minister and school officer visited the school; the girls to make a low courtesy, and the boys to take off their hats and make a bow to all strangers and others whom they met on the way to and from school, to perform the same reverential duty to the teacher as they entered the school-room door, and on making their exit. There was much of reading the stories of the Bible, and much of teaching maxims of piety and duty, with oral instruction in matters of simple, everyday knowledge.

Some of these worthy pioneers in the exercise of woman's rights and duties, were exceedingly lacking in scholastic knowledge. Some could write only their names, in ill-favored letters, and could teach only "easy reading," and in cyphering were limited to the simplest problems and tables in the fundamental rules. But they were women of common sense, good conscience and exemplary lives; and did much to help hard-working mothers to take care of their children, and teach them obedience, order, neatness, and respect for superiors. Knitting, sewing, patchwork and lettering samplers were usually taught the girls in these "woman schools;" sometimes painting in water colors and fancy needle-work, especially in the private schools. The use of the rod was not confined to the schoolmasters.

Such were most of the schools of the county in the fifty years after the close of the war of the revolution.

At the first meeting of the State Legislature, after the adoption of the constitution, George Clinton, then Governor, in his address, remarked that "neglect of the education of youth is one of the evils consequent upon war."

Gov. George Clinton was evidently a friend of public schools for all the people, and used his official influence in their favor. At the opening of the legislative session of 1795, he says: "While it is evident that the general establishment and liberal endowment of academies are highly to be commended, and are attended with the most beneficial consequences, yet it cannot be denied that they are principally confined to the children of the opulent, and that a great portion of the community is excluded from their immediate advantages. The establishment of common schools throughout the State is happily calculated to remedy this inconvenience, and will therefore engage your early and decided consideration."

April 7, 1795, the State Legislature appropriated the sum of £20,000 annually for the term of five years, for encouraging and maintaining schools in the State. Of this sum, £1,590, or \$3,975, was allotted to Albany County. This was regarded as a long stride toward a general free school system.

In 1813, Mr. Spafford, of Albany, author of the *Gazetteer*, thus expresses himself in regard to the schools of our State and County: "At present the modes of common school instruction in this State are liable to many objections. In this respect, we are considerably behind the New England States, who have reduced this branch of education to a system. But their method is rapidly gaining ground, and common schools have considerably increased in number and respectability within a few years; and this amelioration is more perceptible in the country than in populous towns, where our schools for the elements of a common education are not so good as in the country.

"The wealthy spare no expense in the education of their sons, principally at academies and colleges, though some continue the practice of former times, having private tutors in their families.

"The yeomanry and the ranks of middling wealth resort to day and boarding schools; the most common kind being the former, supported through the year or only in the winter, and too little attention is paid to the qualifications of instructors.

"The recent introduction of schools on the plan of the benevolent Lancaster promises very beneficial results to the poor in populous towns; at present, these are confined to the cities of New York and Albany.

Of female education, he remarks: "The rich spare no expense, and much time is spent in the frivolous accomplishments of a genteel education, to little purpose. Music and drawing, except in cases of decided propensity, are of little ornament and less utility, though they may amuse the idle." He then admits that they "afford elegant and agreeable diversion when cultivated with taste," and may "expand the mind formed for expansion."

Better facilities for the higher education of girls began to engage the attention of intelligent parents in Albany, early in this century. Private schools were started with varied success. The most important enterprise of this kind was the Union School, so called, started by Ebenezer Foot, in Montgomery street, in 1814, from which grew the excellent and widely useful Albany Female Academy, a history of which will be given in the history of education in the city of Albany. We mention it here only to say that its doors have always been open to girls residing outside the city at reasonable rates of tuition; that it has usually had the best of instructors and a wise supervision; that its course of study has favored the liberal and practical branches, and that its influence upon female education in this county has been most beneficent.

In 1838, the distinguished English traveler, Buckingham, made a brief sojourn in Albany, and closely studied its institutions. In the Female Academy he says he found about 250 in attendance from the city and 140 from the country. The school instruction and management, then for about twenty years in charge of that eminent educator, Alonzo Crittenden, he found most admirable. He adds: "This experiment, which has now been continued for upward of twenty years, has proved abundantly what many have affected to disbelieve or doubt, that the female intellect is in no degree whatever inferior in its capacity to receive and retain instruction in the highest and most difficult branches of learning to the male; that their powers of application and their zeal for information are, also, quite equal to that of the other sex; and that such differences as have hitherto existed between the intellectual condition of male and female youths have been wholly owing to their being subjected to different modes of education."

These sentiments, regarded as questionable sixty years ago, have been so firmly established by the observation of teachers and school officers that "experiment" is no longer called for, and "disbelief and doubt" are no longer found, even among the oldest of the "old fogies" in education.

In Preston's Statistical Report of the county for the year 1820, we find enumerated in the county, 155 common schools, "exclusive of parts of schools adjoining other towns," to wit: in Albany, 25; Bethlehem, 25; Coeymans, 15; Westerlo, 16; Rensselaerville, 18; Berne, 30; Guilderland, 11; Watervliet, 12; also an academy of 150 students, Lancasterian school of 400 pupils, and a mechanic school, all in the city of Albany. The Albany Female Academy, although then in operation, is not named. The same writer, John Preston, an old teacher of his day, residing in Westerlo, says: "Our country schools, and many in cities, at present are too tedious and too expensive in teaching children the elementary parts of sciences." He places a high estimate upon the now exploded Lancasterian system of school management, as "surpassing anything of the kind heretofore discovered."

Henry R. Schoolcraft tells us that his great-grandfather was a schoolmaster, and taught the first English school in Schoharie County, in his old age, and was known as one of the very few prominent ones in the region of Albany County, at that early day.

Apollos Moore came from Berkshire County, Mass., and settled in Rensselaerville soon after the Revolution, where he was long and widely known as a successful schoolmaster. From 1812 to 1828, he was County Judge, and for many years a leading citizen of the county. Moses Patten, from New Hampshire, also resided in this town, and was a leading teacher of public schools for many years. He held the office of Surrogate from 1840 to 1844.

Hon. A. J. Colvin speaks of William Hicks as a leading schoolmaster in Coeymans in the early part of this century. He was a great speller, and teaching spelling was his hobby. Only the "common branches" were taught. The "criminal stick" recorded punishable crimes, and woe to the young culprit who earned the ferule or the birchen rod.

John Preston, of Westerlo, was one of the best Yankee schoolmasters that taught in the country towns of the county in the first part of this century.

We wish we could give a complete list of these pioneers, but it is not possible at this writing.

*County Superintendents of Common Schools.*—The legislature passed an act, drawn by Hon. John C. Spencer, May 26, 1841, requiring County Boards of Supervisors to appoint biennially a County Superintendent of Common Schools, charged with the general supervision of the public schools in his

jurisdiction. The office was abolished, November 13, 1847. The following gentlemen served in this office in Albany County: Royal Shaw, Francis Dwight, Rufus King, Horace K. Willard, Abraham Van Vechten, Henry S. McCall.

This office was abolished "without petitions from any considerable number of people and without proposing a substitute." It became unpopular because, in some cases, incompetent men, appointed as partisans, abused their trust; and the small salary was claimed by the niggardly as an added burden upon the taxpayer. It was a backward step, and so regarded by the best friends of education everywhere. It left all school supervision to Town Superintendents, who, with rare exceptions, neglected trusts for which they had no fitness. Such was the united testimony of Samuel Young, N. S. Benton, Christopher Morgan, Henry S. Randall, Samuel S. Randall, Victor M. Rice, and other prominent State officers and educators.

*School Commissioners* of counties are chosen for a term of three years by the electors of their commissioner district. There are now three districts in Albany County, exclusive of the cities of Albany and Cohoes, with the supervision of whose schools these officers have nothing to do. Local school boards are chosen by the cities to manage their own school affairs. These school boards usually elect an agent called Superintendent of Schools. The County Commissioners are required to examine and license local public school teachers, except such as hold State or Normal School diplomas; to visit their schools; to aid in organizing teachers' institutes; to do several other duties, and to report annually to the State Superintendent.

#### ALBANY COUNTY, FIRST DISTRICT.

1856, John B. Shear, Coeymans; 1858, John G. Vanderzee, Cedar Hill; 1861, L. Carter Tuttle, Cedar Hill; 1864, John C. Nott, Albany; 1867, William E. Whitbeck, Bethlehem Center; 1870, Leonard A. Carhart, Coeymans; 1873, John F. Shafer, Cedar Hill; 1876, David D. L. McCulloch, New Salem; 1879, Alexander F. Baker, Cedar Hill; 1882, Samuel F. Powell, Coeymans; 1885, John J. Callanan, Callanan's Corners.

#### SECOND DISTRICT.

Peter Tinklepaugh; Edward V. Filkins, Berne; 1861, George L. Boughton, Rensselaerville; 1867, Zina W. Snyder, Potter's Hollow; 1870, Julius Thayer, South Westerlo; 1864 and 1873, Zebediah A. Dyer, East Berne; 1876, Sanford Simon, Rensselaerville; 1879, Rufus T. Crippen, Rensselaerville; 1882, Elias Young, Reidsville; 1885, Charles De La Mater, Medusa.

#### THIRD DISTRICT.

1856, John H. Sand, Knox; 1858, William Arthur, Jr., West Troy; 1861, Thomas Helme, Guelderland; 1867,

George H. Quay, Knox; 1864 and 1870, John P. Whitbeck, West Troy; 1873, Thomas Helme, McKownville; 1876, William J. McMillan, West Troy; 1879, Charles E. Sturges, Knox; 1882, Thomas P. Heenan, West Troy; 1885, George McDonald, West Troy.

#### FOURTH DISTRICT.

1856, John Muckle.

The Commissioners whose terms expired December 31, 1856, were four in number, one from each Assembly district. They were appointed by the Board of Supervisors about June 1, soon after the passage of the act constituting them. After this the county was divided into three School Commissioner Districts, not including the cities and villages having special school acts relating to supervision. Since November, 1857, the Commissioners have been elected at the annual State election, and commence their official term of three years on the 1st day of the January succeeding.

*The first State Normal School* was located in Albany by law, May 7, 1844, under the supervision of the State Superintendent and the Regents of the University. We give a more extended history of this institution in another place. We mention it here as one of the great events in the history of education, occurring in this county over forty years ago, and, ever since, shedding its benignant influence upon all the schools in the State, but especially upon those of Albany County. It was, with the characteristic conservatism of the educational legislation of the times, limited to an existence of only five years. DeWitt Clinton, in 1826, and other eminent statesmen of that day, who saw that poor teaching was the great obstacle to the progress of popular education, had spoken of the importance of such an institution. The best educators and school officers urged it. Its establishment as an experiment was a necessity. It was opened as a school, with twenty-nine pupils, December, 1844. It has never been closed. April 12, 1848, it was made a "permanent establishment" by law. July 31, 1849, it occupied its present building. This autumn it is to be removed to its new building on Washington Park, admirable for location, architecture, and all needful appointments for its appropriate work.

Its successive principals are thus named: David P. Page, George R. Perkins, Samuel B. Woolworth, David H. Cochrane, Oliver Arey, Joseph Alden, Edward P. Waterbury.

*Teachers' Departments* in academies were provided for by a legislative act of March 30, 1849, and kept up to this day by subsequent acts, by which, under certain conditions, in academies se-

lected by the Regents of the University, a class of pupils receive special instruction in the art of managing and teaching schools a portion of each year. Under this act I find that Rensselaerville Academy and Knoxville Academy have done some useful service in this way; but it has been very limited in quantity and variable in quality.

*Teachers' Institutes* have been a popular and powerful agency in the working educational forces of the State and County. The first in the State was opened at Ithaca, April 4, 1843, by Prof. John S. Denman, of Tompkins County, and held two weeks. Salem Town, James B. Thompson and David Powell were the assistants. Twenty-eight teachers attended. A law providing for holding them annually in each county was passed, November 13, 1847, appropriating sixty dollars to each county which should comply with its provisions.

We add as complete a list as we can now make out of those held in this county. We do not find that Albany County was among the earliest to comply with the terms of the act.

For some years they were not held regularly, and were thinly attended. Indeed, to this day, the attendance embraces but a small part of the teachers of the county, and but little popular or professional enthusiasm has ever been awakened in these State institutions in Albany County. The years and places of holding, and the number of members enrolled for twenty years past, are here given :

- 1865.—Clarksville, 118 ; East Berne, 106 ; Watervliet, 173.
- 1866.—Chesterville, 181 ; Watervliet, 110.
- 1867.—Cohoes, 93.
- 1868.—Chesterville, 110 ; Knowersville, 73.
- 1869.—
- 1870.—Chesterville, 140 ; Coeymans, 66.
- 1871.—Watervliet, 71.
- 1872.—Chesterville, 172.
- 1873.—East Berne, 167.
- 1874.—Knowersville, 131.
- 1875.—Clarksville, 144.
- 1876.—New Salem, 132.
- 1877.—Knowersville, 144.
- 1878.—New Salem, 163 ; New Salem, 89.
- 1879.—Clarksville, 102 ; Adamsville, 75.
- 1880.—Knowersville, 145 ; Berne, 157.
- 1881.—New Salem, 120 ; Coeymans, 78.
- 1882.—Chesterville, 146 ; Knowersville, 108.
- 1883.—New Salem, 62.
- 1884.—Coeymans, 121.
- 1885.—Knowersville, 97.

The *State Geological Survey* was authorized by law, April 15, 1836, and was carried on in four districts. Albany County was included in the first

district. The following distinguished scientific men residing in Albany were engaged with others in that survey as principals or assistants : Prof. William G. Mather, in geology ; Prof. Ebenezer Emmons, in geology and agriculture ; Dr. James Eights, in geology ; Prof. James Hall, in geology and paleontology. The work commenced in 1836 and terminated with their first reports in 1841, except that of paleontology, which is still continued under Dr. James Hall, who has served in this department since 1843. Besides the five annual reports, twenty-one huge printed volumes, abounding in facts and illustrations, attest to the extent and thoroughness of the work done.

The State Museum of Natural History, recently placed in the State Hall, of which James Hall has been director since 1866, is a wonderful collection, a great and impressive teacher of science, an outgrowth of this survey, continually increasing under the fostering care of the Regents of the University, who are its legal trustees, and by the wise and devoted activity of its museum staff, consisting of Profs. James Hall, geologist ; Joseph A. Lintner, entomologist, and Charles H. Peck, botanist.

In 1820, sixteen years before the above State survey was commenced, a Geological and Agricultural Survey of Albany County was made by Prof. Theodoric Romeyn Beck. This was the first undertaking of the kind in the State.

Hon. Stephen Van Rensselaer, with characteristic public spirit and zeal for promoting valuable knowledge, employed Prof. Amos Eaton, then of Albany, to make a geological examination of the rocks along the line of the Erie Canal. His report was published in 1824, and was a work of decided merit, considering the state of science at that date.

REGENTS OF THE UNIVERSITY, except *ex officio*, appointed since 1787, and having residence in Albany County, with year of appointment, have been as follows :

John Rodgers, 1787; Philip Schuyler, 1787; Dirck Romeyn, 1787; Eilardus Westerlo, 1787; John McDonald, 1787; Abraham Van Vechten, 1797; Thomas Ellison, 1797; Simeon De Witt, 1798; James Kent, 1800; John Tayler, 1802; Ambrose Spencer, 1805; Elisha Jenkins, 1807; De Witt Clinton, 1808; Peter Gansevoort, Jr., 1808; Joseph C. Yates, 1812; Solomon Southwick, 1812; Smith Thompson, 1813; John Woodworth, 1813; Martin Van Buren, 1816; John Lansing, Jr., 1817; John De Witt, 1817; Samuel Young, 1817; Stephen Van Rensselaer, 1819; William A. Duer, 1820; Harmanus Bleecker, 1822; Samuel A. Talcott, 1823; James King, 1823; Peter Wendell, 1823;

William L. Marcy, 1823; Jesse Buel, 1826; Benjamin F. Butler, 1829; Gerrit Y. Lansing, 1829; John Keyes Paige, 1829; John Tracy, 1830; John A. Dix, 1831; Erastus Corning, 1833; James McKown, 1834; Amasa J. Parker, 1835; Joseph Russell, 1839; John C. Spencer, 1840; Gideon Hawley, 1842; John V. L. Pruyn, 1844; Martin Van Buren, 1845; Jabez D. Hammond, 1845; Philip S. Van Rensselaer, 1849; John N. Campbell, 1851; George W. Clinton, 1856; George R. Perkins, 1862; Henry R. Pierson, 1872; Anson J. Upson, 1874; John A. Dix, 1876; Charles E. Smith, 1879; St. Clair McKelway, 1883; Hamilton Harris, 1885.

Standard historians have scarcely noticed the subject of education. We have had little help from them. They write of wars, and the strifes of kings and other men struggling for wealth and power. Theirs is a record of contending factions in Church and State. From them the student of history learns little of the homes of the people, of the training of the young, of the pursuits of the student of science and literature, or of the mighty influences that come from wise and godly men and women, working for humanity and country, in quiet places. And yet these are all of vital importance.

School statistics, as published in our school documents, possess little value previous to about 1857. Mr. Victor M. Rice is entitled to the credit of organizing a plan for them, but little improved since. He had able clerks in his department; and county school commissioners were trained by him to a habit of making intelligible and truthful reports. An examination of the State Annual School Reports for thirty years past will enlighten the student of education, as he can be enlightened in no other way, in regard to the progress of education in our State and County. We would be glad to collate facts and make comparisons from these tables, but space forbids.

The influences that have been working for a century past to advance the education of the masses in this State, have been many. Albany County, as embracing the State Capital, and the temporary homes, at least, of legislators, statemen, jurists, educators and philanthropists, from whom these influences have proceeded, has had great advantages. In the City of Albany these influences have been powerfully felt. They have led to the establishment of our many private schools, our excellent academies and public schools, our schools of law and medicine, our Dudley Observatory, our libraries and Cabinets, and all our facilities for advancement in knowledge.

It must be admitted that these influences have slowly entered into our country towns. We have

no doubt that the manorial system, so long existing in these towns, has been the chief paralyzing cause. It made men groveling and ambitionless. A better day for these beautiful valleys and hills, these homes and villages, is lifting. Schools and school-houses are better, and men and women of intelligence and influence are multiplying.

No one can question that these good influences had their origin and stimulus from New England. The immigration from that land, which began immediately after the Revolution, and has continued ever since, has spread and intensified these influences.

Among the men whose exertions and influence have essentially contributed to the establishment of the schools referred to, and to the securing, finally, of a real, permanent school system, free for all the people, may be named the following who have had residence in this county, not to speak of Governors, Regents, and State Superintendents named elsewhere:

Gideon Hawley, Eliphalet Nott, Alexander G. Johnson, Henry B. Haswell, John O. Cole, Franklin Townsend, John V. L. Pruyn, Bradford R. Wood, Friend Humphrey, Henry Mandeville, Alonzo Potter, Jabez D. Hammond, John C. Spencer, Daniel D. Barnard, Ebenezer Foot, T. Romeyn Beck, Francis Dwight, Alonzo Crittenden, Benj. F. Butler, Thomas W. Valentine, John W. Bulkley, Samuel B. Woolworth, Alden March, James H. Armsby, Daniel J. Pratt, Henry S. McCall, Charles P. Easton, John E. Bradley, Merrill E. Gates and many others, including, of course, all competent and faithful educators, male and female. Of these twenty-nine, nineteen are natives of New England. They were acknowledged leaders. Others, "of every kindred, every tribe," have cheerfully co-operated or followed, and enjoyed the benefit of their labors.

After years of struggling in the dark, without system, Gideon Hawley, of Connecticut, was elected State Superintendent of Common Schools, in 1813, and held the office, with a salary of \$300, for eight years. "To no individual in the State are the friends of Common School Education more indebted for the impetus given the cause of elementary instruction in its infancy than to Gideon Hawley." Organization, supervision, practical knowledge of minute details, patience, perseverance, honest work and sincere love for the cause were the requisites in one man. Mr. Hawley united all these. He settled in Albany, was long time Secretary of the Board of Regents, and lived to see the reward of his labors. Many followed him

most worthily. The work was carried on in the Secretary of State Department, with increased experience, by such men as Yates, Flagg, Dix, Spencer, Young, Benton, Morgan and the Randalls. In 1854 Superintendent Rice took the helm, followed by Weaver and others. But none after Hawley had a home in this county except during their official terms. Jonathan Tenney and Addison A. Keyes are the only Deputy State Superin-

tendents of Public Instruction who were permanent residents in Albany County.

The Educational growth of our County has been very rapid during the last one hundred years, and especially so during the last fifty years. Its history, to which we have given a few pages only, could easily be expanded into a volume. In the special history of Albany City we shall give more attention to its local institutions of learning.

**A LIST OF THE TOWNSHIPS (t.), CITIES (c.), INCORPORATED VILLAGES (i. v.),  
VILLAGES (v.), HAMLETS (h.) AND NEIGHBORHOODS (n.) IN  
ALBANY COUNTY,**

WITH THEIR DISTANCES FROM ALBANY CITY IN MILES, THEIR POST-OFFICES, RAILWAY STATIONS, LOCATION  
IN TOWN, LOCAL NAMES, ETC., BY PROF. J. TENNEY.

Towns, Cities, Villages, etc.	Post-offices.	Railway Stations.	Distances in Miles from State Capitol.	Location in Town.	Local Names and Other Notes.	
ALBANY.....	P. O.	{ N. Y. C., B. & A., etc. }	....	....	{ Fort Orange, The Fuyck, Beverwyck, Aurania, Or- anienberg, Williamstadt, were early names. }	c.
Arbor Hill.....	Albany P. O.	.....	3	N.	.....	n.
Groesbeckville.....	" "	.....	1	S.	Annexed from Bethlehem.	n.
Martinsville.....	" "	.....	3	S.	Named for George Martin.	n.
North Albany.....	" "	.....	1 1/2	N.	Annexed from Watervliet.	n.
Tivoli Hollow.....	" "	.....	1	N.	.....	n.
Washington Park.....	" "	.....	1	W.	Public Park.	n.
West Albany.....	P. O.	N. Y. C.	2	N.	Mostly in Watervliet.	v.
BERNE.....	P. O.	.....	23	.....	.....	t.
Berneville.....	Berne P. O.	.....	23	N.	Beaver Dam, Corporation.	v.
East Berne.....	P. O.	.....	19	N. E.	Philla, n. Warner's Lake.	h.
South Berne.....	P. O.	.....	21	S.	.....	h.
West Berne.....	P. O.	.....	27	N. W.	Mechanicsville, Peoria.	h.
Peoria.....	W. Berne P. O.	.....	27	N. W.	Named for Peoria, Ills.	h.
Reidsville.....	P. O.	.....	16	S. E.	Named for Sandy Reid.	h.
Thompson's Lake.....	.....	.....	17	N. E.	Summer Resort.	h.
BETHLEHEM.....	Bethlehem Center P. O.	.....	5	.....	.....	t.
Adams' Station.....	P. O.	A. & S.	6	C.	Adamsville.	v.
Becker's Corners.....	P. O.	.....	8	S.	The Hook.	h.
Bethlehem Center.....	P. O.	.....	5	C.	Balcock's Corner.	h.
Cedar Hill.....	P. O.	.....	8	S. E.	Steamboat Landing.	n.
Hurstville.....	Albany P. O.	.....	3	N.	.....	n.
Kenwood.....	" "	W. S.	2	E.	Mouth of Normanskill.	v.
Normansville.....	{ Adamsville or Albany P. O. }	.....	4	N. E.	Upper Hollow.	h.
Selkirk.....	P. O.	W. S.	10	E.	.....	n.
Slingerlands.....	P. O.	A. & S.	7	N. W.	.....	v.
So. Bethlehem.....	P. O.	W. S.	10	S.	Janes' Corners.	v.
Upper Hollow.....	Adamsville P. O.	.....	4	N. E.	Normansville.	n.
Van Wie's.....	P. O.	.....	5	E.	.....	n.
Wemple.....	Bethlehem Center P. O.	W. S.	3	E.	.....	n.
COEYMANS.....	P. O.	.....	13	.....	.....	t.
Alcove.....	P. O.	.....	21	S. W.	Stephensville.	v.
Aquetuck.....	P. O.	.....	16	S. E.	Peacock's Corners.	h.
Coeymans Hollow.....	P. O.	.....	18	S. C.	.....	v.
Coeymans Junction.....	Coeymans P. O.	W. S.	13	E.	.....	h.
Coeymans Landing.....	Coeymans P. O.	.....	13	S. E.	.....	v.
Indian Fields.....	P. O.	.....	20	N.	.....	h.
Keefer's Corners.....	P. O.	.....	20	N. W.	Named for Balthus Keefer.	n.
Mossy Hill.....	.....	.....	22	S. W.	.....	n.
Stephensville.....	Alcove P. O.	.....	20	S. W.	.....	v.
COHOES.....	P. O.	{ R. & S. and T. & S. }	9	.....	.....	c.
COLONIE.....	.....	.....	.....	.....	{ A town from 1808-15, now a part of Albany. }	t.
GUILDERLAND.....	P. O.	.....	9	E.	.....	h.
Dunnsville.....	P. O.	.....	15	N. W.	Named for Christopher Dunn.	h.
French's Mills.....	Fuller's Sta. P. O.	.....	13	E.	Named for Abel French.	n.
Fuller's Station.....	P. O.	W. S.	13	C.	Named for Maj. John Fuller.	h.
Guilderland Center.....	P. O.	.....	12	C.	Bangall.	v.

## A LIST OF THE TOWNSHIPS, CITIES, INCORPORATED VILLAGES, ETC., ETC.

Towns, Cities, Villages, etc.	Post-offices.	Railway Stations.	Distances in Miles from State Capitol.	Location in Town.	Local Names and Other Notes.	
Guilderland Station...	P. O.	A. & S.	14	S. W.		<i>h.</i>
Hamiltonville.....	Guilderland P. O.	.....	8	E.	N'd for Hon. Alex. Hamilton.	<i>v.</i>
Knowersville.....	P. O.	A. & S.	17	W. C.	Named for Hon. Benj. Knower.	<i>v.</i>
McKownville.....	P. O.	.....	4	S. E.	Named for Hon. Jas. McKown.	<i>h.</i>
Sloans.....	Guilderland P. O.	.....	8	E.	Hamiltonville, Sloans.	<i>v.</i>
KNOX.....	P. O.	.....	21	.....	.....	<i>l.</i>
Knoxville.....	Knox P. O.	.....	21	C.	The Street.	<i>h.</i>
Knox Station.....	Knox P. O.	A. & S.	22	N.	.....	<i>n.</i>
East Township.....	P. O.	.....	19	E.	.....	<i>v.</i>
West Township.....	P. O.	.....	23	W.	.....	<i>v.</i>
NEW SCOTLAND.....	P. O.	.....	8	E.	.....	<i>l.</i>
Callanan's Corners.....	P. O.	.....	12	S. E.	.....	<i>h.</i>
Clarksville.....	P. O.	.....	12	S. W.	.....	<i>v.</i>
Feura Bush.....	Jerusalem P. O.	W. S.	9	S. E.	Jerusalem.	<i>h.</i>
Helderberg.....	P. O.	.....	15	N. W.	.....	<i>n.</i>
Jerusalem.....	P. O.	W. S.	9	S. E.	Feura Bush.	<i>h.</i>
New Salem.....	P. O.	.....	12	N. W.	.....	<i>v.</i>
New Scotland.....	P. O.	.....	8	E.	.....	<i>h.</i>
New Scotland Station.	Voorheesville P. O.	{ A. & S. and W. S. }	11	N. E.	Voorheesville.	<i>v.</i>
Onesquethau.....	.....	.....	14	S.	Tarrytown.	<i>h.</i>
Union Church.....	P. O.	W. S.	9	E.	Unionville.	<i>h.</i>
Unionville.....	Union Church P. O.	W. S.	9	E.	.....	<i>h.</i>
Voorheesville.....	P. O.	{ A. & S. and W. S. }	11	N.	{ Named for Hon. A. B. Voorhees. }	<i>v.</i>
Wolf Hill.....	P. O.	.....	13	W.	.....	<i>n.</i>
RENSSELAERVILLE.....	Rensselaerville P. O.	.....	23	.....	.....	<i>l.</i>
Cooksburg.....	P. O.	.....	32	S. W.	Named for Thomas Cook.	<i>v.</i>
Connersville.....	Rensselaerville P. O.	.....	.....	S. W.	Williamsburg.	<i>h.</i>
Medusa.....	P. O.	.....	29	S. E.	Hall's Mills.	<i>v.</i>
Peckham Hollow.....	.....	.....	.....	.....	Obsolete; Willow Glen.	<i>h.</i>
Potter's Hollow.....	P. O.	.....	33	S. W.	Named for Samuel Potter.	<i>v.</i>
Preston Hollow.....	P. O.	.....	32	S. W.	Named for John Preston.	<i>v.</i>
Rensselaerville.....	P. O.	.....	23	N. E.	{ Named for Gen. S. Van Rensselaer. }	<i>v.</i>
Smith's Corners.....	Medusa P. O.	.....	28	S. E.	Named for Moses Smith.	<i>h.</i>
Williamsburg.....	Rensselaerville P. O.	.....	28	N. W.	Connersville.	<i>h.</i>
WATERVLIET.....	.....	.....	.....	.....	.....	<i>l.</i>
Boght.....	Cohoes P. O.	.....	10	N.	Groesbeck's Corners.	<i>h.</i>
Cemetery.....	Albany P. O.	R. & S.	3	E.	{ Rural, St. Agnes and Anshe Emeth Cemeteries. }	<i>h.</i>
Center.....	Karner P. O.	N. Y. C.	8	N.	Karner.	<i>h.</i>
Crescent.....	.....	T. & S.	12	W.	Railway Station.	<i>h.</i>
Gibbonsville.....	West Troy P. O.	R. & S.	6	E.	Named for James Gibbons.	<i>v.</i>
Green Island.....	P. O.	R. & S.	7	E.	Tibbitt's Island.	<i>i. v.</i>
Groesbeck's Corners.....	Cohoes P. O.	.....	10	N.	The Boght.	<i>h.</i>
Ireland's Corners.....	Loudonville P. O.	.....	3	C.	Named for Rev. Selah Ireland.	<i>v.</i>
Karner.....	P. O.	N. Y. C.	9	W.	Named for Theodore Karner.	<i>h.</i>
Latham's Corners.....	Cohoes P. O.	.....	6	C.	{ Town House and Van Vranken's Corners. }	<i>h.</i>
Lisha's Kill.....	P. O.	.....	9	N. W.	.....	<i>h.</i>
Loudonville.....	P. O.	.....	3	S.	Named for Lord Loudon.	<i>v.</i>
Lower Aqueduct.....	.....	.....	12	N. E.	On the Mohawk.	<i>n.</i>
Menand's.....	Albany P. O.	A. & T.	3	E.	Named for Florist Menand.	<i>h.</i>
Newtonville.....	P. O.	.....	5	C.	Named for John M. Newton.	<i>v.</i>
Port Schuyler.....	.....	.....	.....	.....	Named for Peter Schuyler.	<i>n.</i>
Shakers.....	P. O.	.....	8	W.	Shaker Community since 1776.	<i>v.</i>
Spencerville.....	West Albany P. O.	N. Y. C.	2	S.	Named for Julius A. Spencer.	<i>v.</i>
Town House Corners.....	Cohoes P. O.	.....	6	C.	Van Vranken's.	<i>h.</i>
Van Vranken's Corners.....	Cohoes P. O.	.....	6	C.	Town House Corners.	<i>h.</i>
Washington.....	.....	.....	1	E.	Port Schuyler.	<i>h.</i>
Watervliet Center.....	P. O.	.....	9	N.	.....	<i>v.</i>
West Albany.....	P. O.	N. Y. C.	3	S.	Partly in Albany City.	<i>v.</i>
West Troy.....	P. O.	R. & S.	6	E.	{ Includes former Port Schuy- ler, Gibbonsville and Washington. }	<i>i. v.</i>
WESTERLO.....	P. O.	.....	22	.....	.....	<i>l.</i>
Chesterville.....	Westerlo P. O.	.....	22	C.	Named for Rev. John Chester.	<i>v.</i>
Dormansville.....	P. O.	.....	20	E.	Named for Daniel Dorman.	<i>h.</i>
Lamb's Corners.....	So. Westerlo P. O.	.....	26	S. W.	.....	<i>h.</i>
South Westerlo.....	P. O.	.....	24	S.	.....	<i>v.</i>
Van Leuven's Corners.....	Westerlo P. O.	.....	20	N.	{ Once Sackett's Corners and Preston's Corners; named for Isaac Van Leuven. }	<i>n.</i>
Westerlo Center.....	" "	.....	22	C.	.....	<i>n.</i>

## HISTORY OF POPULATION IN ALBANY COUNTY.

By Prof. J. TENNEY.

THE legitimate purpose of the Census seems to be to determine matters essential to an intelligent and equitable administration of public affairs. At first nothing was taken account of except the population classed by ages, sexes, and sometimes by races. In this way the strength of a people for the productive pursuits of peace or the destructive hazards of war, was measured. And when some respect began to be given to the popular demand for natural rights, it was important, to begin with, to have some scale of representation.

As imperfect as these census takings confessedly are, they are valuable as an approximate measure of the growth and prosperity of a people. To take them as they come to us is the best we can do, when we propose to show the historic movement of population and the great events and industries that accompany it or depend upon it. Hence, we have carefully collated, from every resource in our reach, this chapter as a valuable contribution to our history.

As will be seen, the statements of population during the Dutch Colonial period are but little better than estimates; and even when taken by direction of government officers, not only in the English Colonial times, but even in this day, by so many "enumerators," and from the mouths of so many dishonest, ignorant or timid people, the tabulated reports have never yet reached perfection.

Our facts and inferences in regard to the number and condition of the population of New Netherlands during the Dutch period, and of New York during the English period, are derived from the documents and other historic papers of those periods.

Wassenaer's *Historia Van Europa*, Amsterdam, 1621-1632, says: "There are now no families at Fort Orange. They are all brought down. They keep five or six and twenty persons, traders, there. Bastiaen Jansz Crol is Vice-Director there. He remained there since the year 1626, when the others came down."

This helps confirm our opinion that no permanent settlements in or near what is now Albany

were made prior to 1630; perhaps we ought to say, prior to 1639.

The same writer, speaking of Fort Amsterdam, says: "The population consists of 270, including men, women and children." Fear of the savages, and the dreary state of things about frontier Fort Orange, thus early led the "families," "the women and children," to "come down" to a place of better security.

That the early population of both Manhattan and Beverwyck consisted of few persons, except the officers and servants of the West India Company, is well agreed. A little band of colonists came over in 1630 as farmers and farm servants under the patroon, and did service under leases or otherwise, on the manor lands of Rensselaerwyck. Few had families.

In 1638, most of the population was confined to New Amsterdam and Fort Orange.

Their "High Mightinesses" had information in April, 1638, that "the population in New Netherlands does not only not increase as it might, but even that it is decreasing," which they attribute to the neglect of the West India Company to properly encourage immigration and provide for the protection of the immigrants by proper "inducements and pre-eminences."

Free trade, in 1638, gave some impetus to immigration; but most who came over preferred trading with Indians to cultivating the soil. In 1646, as shown by the Van Rensselaer papers, only 216 colonists had been sent over to Rensselaerwyck in sixteen years, reckoning from the first arrival in 1630.

Governor Stuyvesant tells us that, in 1647, soon after he came in charge of New Netherlands, "The whole province could not muster 250 or, at most, 300 men capable of bearing arms." This includes, of course, all the settlements in and around New Amsterdam, Esopus and Beverwyck. This he attributes in part to the "exceedingly detrimental, land-destroying and people-expelling wars with the cruel barbarians" that were aroused and carried on under Kieft. In this connection he speaks of his "troublesome neighbors of New

England," whose population numbered "full fifty to our one." Not far from this time New England was dotted over with agricultural and commercial settlements, many of which had organized as independent towns; and its population was reckoned at 60,000.

Until 1656, the little church of nine benches satisfied the religious worshippers of Fort Orange and the Colony. The early population of Beverwyck was an unsettled one. Some few of the better class purchased lands beyond the limits of Fort Orange, and settled down as industrious farmers; some returned to Fatherland; and others retired to the more stirring town of New Amsterdam, down by the sea. Population increased slowly upon the frontiers up the Hudson and Mohawk. Many were vagabonds of the lowest character; most unfit as founders or builders of a permanent and prosperous society.

In 1673, nine years after the English came in possession, we are told: "They and as many of the Dutch nation as are yet residing under this government is calculated to amount, women and children included, to about six thousand."

In 1678, Gov. Andros writes: "Inhabitants and planters about 2,000 able to bear arms; old inhabitants of the place or of England, except in and neere New York, of Dutch extraction, and some few of all nations."

"The town itself is upon a barren spot of land, and the inhabitants live wholly upon trade with the Indians." Gov. Dongan in 1687, says this of Albany.

The first attempt at taking a census in the Province of New York, was made in 1686 by Gov. Dongan, by request of the Board of Trade and advice of Council. The Sheriff had the matter in charge, assisted by constables or other under-officers, and reported on or before the 1st of April to the Governor.

#### A LIST OF THE HEADS OF FAMILIES,

And the number of men, women and children in each household in the City and County of Albany, June 16, 1697:

	Men.	Women.	Chil- dren.
Joannis Harmense.....	1	1	1
Myndert Schuyler.....	1	1	1
Joannes Schuyler.....	1	1	11
Aryantie Wendels.....	0	1	3
Alida Schuyler.....	0	1	4
Pieter Van Brugh.....	1	1	1
Marities Lervens.....	0	1	3
Margaret Schuyler.....	0	1	0
Melgert Abrahamse.....	1	1	3
Wouter Van Derzee.....	1	1	0
Pieter Van Olinde.....	1	1	3

	Men.	Women.	Chil- dren.
David Schuyler.....	1	1	2
Mrs. Bradshaw.....	0	1	1
William Ketelhyn.....	1	1	2
Lucas Lucase.....	1	1	3
Jan Bratts Widdow.....	0	1	5
Roelof Gerritse.....	1	1	6
Jan Rosie.....	1	1	0
Isaac Caepetse.....	1	1	3
Hendrick Masselis.....	1	0	0
Hendrick Hals.....	1	1	2
Joannis Becker, Jun'r.....	1	1	3
Jacob Staets.....	1	1	1
Dirk Van der Heyde.....	1	1	4
William Hogan (I.).....	1	1	3
Joannis Teller.....	1	1	3
John Fyne.....	1	1	0
Hendrick Lansing.....	1	1	2
Woter Wan der Uythof.....	1	1	0
Paulus Martinse.....	1	1	1
John Carr (E.).....	1	1	0
James Parker (F.).....	1	0	0
Hendrick Oothout.....	1	1	5
Colo. Pieter Schuyler.....	1	1	4
Pieter Van Woglom.....	1	1	0
Jacob Winne.....	1	1	0
Teunis Dirkes.....	1	1	1
Abraham Staets.....	1	1	1
Benoni Van Corlaer.....	2	1	5
Jurian Van Hoese.....	1	1	1
Joseph Yeats (E.).....	1	1	6
Joseph Janse (Sp.).....	1	1	2
Jonathan Broadhurst (E.).....	1	1	4
Jan Verbeeck.....	1	0	0
Eghbert Teunisse.....	1	1	5
Leendert Phillipse.....	1	1	0
Albert Ryckman.....	4	1	5
Fredrick Harmense.....	1	1	2
Jacob Cornelisse Bogart.....	1	1	7
Omie Lagrange, Jun'r.....	1	1	0
William Holie.....	1	0	0
Harman Gansevoort.....	1	1	6
Jan Quackebosse.....	1	1	6
Jan Salomonse.....	1	1	9
Godefridus Dellius.....	1	1	0
Hendrick Hause.....	1	1	2
Catelyntie Schuyler.....	0	1	0
Jacobus Schuyler.....	1	0	0
Geart Hendrikse.....	1	1	4
Jacob Van Schoonhoven.....	1	0	0
Joannis Bratt.....	1	1	1
Wessel Ten Broeck.....	1	1	4
Frans Winne.....	1	1	3
Maria Lookerman.....	0	1	1
Gerrit Rycker.....	1	1	0
Ryer Gerritse.....	1	0	0
Jan Vonda.....	1	1	1
Harpert Jacobse.....	1	1	0
Willem Gysberse.....	2	1	5
Takel Dirckse.....	2	1	1
Jan Cornelisse Vislaer.....	1	0	0
Jacob Teunisse.....	1	1	6
Anna Ketelheyn.....	0	1	3
Johannis Thomasse.....	1	1	1
Effie Lause.....	0	1	1
Johannis Hause.....	1	0	0
Barent Albertse Brat.....	1	1	1
Cornelis Van Ness.....	1	1	1
Anna Vander Heyden.....	0	1	3
Volkert Van Loese.....	0	1	5
Tierck Harmense.....	1	1	4
Anthony Brat.....	1	1	4
Jacobus Van Vorst.....	2	0	0
Thomas Harmense.....	1	1	2
Joannes D'Wandelaer, Junior.....	1	0	0
Jan Van Ness.....	1	1	4
Gerret Van Ness.....	1	1	2
Willem Claesse.....	1	1	3
Myndert Fredrickse.....	4	1	0
Tryntie Carstens.....	0	1	2

	Men.	Women.	Chil- dren.		Men.	Women.	Chil- dren.
Swcer Marcellis .....	1	0	0	Mees Hogeboom .....	2	1	1
Pieter Bogardus .....	3	1	3	Pieter Villeroy (F.) .....	1	1	7
Hendrick Van Rensselaer .....	1	1	3	Marcellis Ffranse .....	1	1	0
Abraham Wendel .....	1	0	0	Rachel Ratcliffe .....	0	1	7
Evert Wendel .....	2	1	2				
Dirk Wessel .....	2	1	4	IN RENSSELAERWYCK, OR THE COLONIE.			
Anthony Coster .....	1	0	0	Kiliaen Van Rensselaer .....	1	0	0
Isaac Ouderkerk .....	1	1	1	Henrich Van Ness .....	3	1	6
Bastiaen Harmenas .....	1	1	5	Harman Janse .....	2	1	4
Thomas Williams .....	1	1	3	Andries Gardenier .....	1	1	6
Anthony Van Schaick .....	1	1	4	Douwe Vonda .....	2	1	3
Hendrick Roseboom .....	1	1	1	Wouter Quackenboss .....	1	1	4
Jonathan Janse .....	1	1	1	Jan Direkse .....	1	1	0
Ryer Jacobse .....	1	1	4	Evert Ridder .....	1	1	3
Cornelis Schermerhoorn .....	1	1	2	Cornelis Teunisse .....	3	1	4
Abraham Kip .....	1	1	3	Dorothe Douw .....	0	1	1
Jacob Lookerman .....	1	1	0	Andries Douw .....	3	0	0
Frans Pruyn .....	3	1	4	Geestruy Janse .....	0	1	0
Anthony Bries .....	1	1	2	Thomas Janse .....	1	0	0
Catalyntie Jacobse .....	0	1	1	Lucas Janse .....	1	1	2
Gysbert Marcellis .....	1	1	3	Marten Cornelisse .....	2	0	1
Warnaer Carstense .....	1	1	1	Gerrit Gysbertse .....	1	1	5
Wouter Quackenboss, Junior .....	1	1	0	Claes Van Petten .....	2	1	5
Claese Ryse Van Dam .....	1	1	0	Joannes Onderkerck .....	4	1	0
Abraham Lansing .....	1	0	1	Joannes Onderkerck, Junior .....	1	1	4
Evert Wendel, Junior .....	1	1	6	Henrick Beekman .....	1	1	5
Geertie Ten Eyck .....	0	1	4	Barent Coeymans .....	4	0	3
Barent and Hendrick Ten Eyck .....	2	0	0	Pieter Van Slyck .....	1	1	4
Abraham Cuyler .....	1	1	3	Teunis Van Slyck .....	1	1	1
Steven Groosbeek .....	1	0	0	Barent Gerritsey .....	2	1	4
Martin Cregier .....	1	1	5	Cornelis Hendrikse .....	2	0	0
Jillis Vonda .....	1	1	0	Elizabeth Hendrikse .....	0	1	1
Johannis Roseboom .....	1	1	4	Gerretie Jacobse .....	0	1	6
John Gilbert (E.) .....	1	1	5	Jan Spoor .....	1	1	6
Daniel Brat .....	1	1	0	Levinus Winne .....	1	0	2
Abraham Schuyler .....	1	1	2	Casper Leenderse .....	1	1	5
Esther Tiercks .....	0	1	1	Daniel Winne .....	1	0	0
Joannes Appel .....	1	1	0	Gerit Van Wey .....	1	0	0
Claes Jacobse .....	2	1	1	Ryk Michielse .....	1	0	0
William Jacobse .....	1	1	2	Jan Huybertz and his mother .....	1	1	0
Lucas Gerritse .....	3	1	1	Claes Sewertse .....	1	0	0
Johannis Beekman .....	1	1	6	Neeltie Van Bergen .....	0	1	5
Isaac Verplanck .....	2	1	6	Richard Janse .....	1	0	0
Robert Livingston (Sc.) .....	3	1	5	Matthys Hooftyling .....	2	1	3
Phillip D'Foreest .....	1	1	5	Arent Slingerland .....	1	3	3
Hendrick Van Dyck .....	1	1	4	Solomon Van Vechten .....	1	0	0
Jacobus Turk .....	1	1	4	Cornelis Tymese .....	3	1	0
Harmanus Wendel .....	1	0	0	Joannes Hanse .....	1	1	6
Phillip Wendel .....	1	1	3	Cornelis Stevense .....	2	1	9
Melgert Wendel .....	1	1	7	Cornelis Martense .....	1	1	4
Joannes Lucase .....	1	1	1	Tys Janse .....	1	1	3
Melgert Melgertse .....	1	1	1	Robert Tewise .....	1	1	4
Joannes Blecker, Junior .....	1	1	2	Isaac Janse .....	1	0	2
Joannis Glenn .....	1	0	0	Nicolaes Janse .....	1	1	4
Jan Janse Blecker .....	2	1	1	Jan Tewise .....	1	1	1
Hendrik Roseboom, Junior .....	1	1	2	Servis Abrahamse .....	1	1	3
Nanning Harmense .....	1	1	3	Jacob Janse .....	1	1	7
Abraham Tewisse .....	1	0	0	Hans Jury's wife .....	0	1	4
Pieter Mingael .....	1	1	0	Jan Salisbury .....	2	1	1
Claes Rust .....	2	0	0	Joannis Visbeck .....	1	1	5
Jan Vinhagen .....	2	1	1	Ffranch Hardin .....	1	1	7
Gerrit Lansing .....	2	1	3	Jan Van Hoese .....	1	0	0
Jan Naek .....	3	1	1	Carl Hanse .....	1	1	5
Jan Lansing .....	2	1	4	Jochim Lamberts .....	3	1	4
Gerrit Roseboom .....	1	1	3	Isaac Vosburgh .....	1	1	4
Cornelis Slingerland .....	1	1	3	Gerret Jacobse .....	1	1	2
Albert Slingerland .....	1	1	1	Andries Heugh .....	3	1	5
Gerret Lucasse .....	1	1	1	Samuel Gardner .....	1	1	3
Cornelis Sherloyn .....	1	1	5	Lambert Jochimse .....	1	1	2
Myndert Roseboom .....	1	0	0	Edward Wheeler (E.) .....	1	1	3
Dirck Brat .....	1	1	3	Jacob Bastiaense .....	1	1	6
Joannes Outhout .....	1	1	4	Pieter Vosburgh .....	1	1	3
David Ketelheyn .....	1	1	1	Pieter Martense .....	1	1	3
Maes Cornelisse .....	0	1	5	Jan Tyse .....	3	1	1
Hillegont Rykse .....	0	1	2	Hendrik De Brouwer .....	2	1	1
Maes Rykse .....	1	0	0	Jan De Wever .....	1	0	2
Weduwe Gerritse .....	0	1	1	Abraham Janse .....	1	1	2
Jan Gerritse .....	1	0	0	Lambert Janse .....	1	1	4
Daniel Retelheyn .....	1	1	1				

	Men.	Women.	Children.
Adam Dingmans.....	1	1	3
Lawrence Van Aclen.....	5	0	2
Jannetie Bevers.....	6	1	2
Andries Lause.....	2	1	1
Frans Pieterse.....	1	1	1
Johannes Janse.....	1	1	6
Coenraed Hoofttylingh.....	1	1	2
Helmer Janse.....	1	1	0
Phillip Konnings.....	1	1	6
Jan Casperse.....	1	1	4
William Janse.....	1	1	0
Michiel Collier.....	1	1	3
Jan Alberse.....	1	1	4
Jacob Casperse.....	1	1	5
Andries Bratt.....	1	1	3
John Van Loon.....	1	1	6
Jan Brouck.....	3	1	6
Andries Janse.....	3	1	4
Gerrit Teunisse.....	3	1	0
Jonas Douwe.....	1	1	5
Jan Baptist.....	1	1	2
Dirck Teunisse.....	4	1	1
Gysbert Cornelisse.....	2	1	0
William Jan Shutt.....	3	1	2
Hillebrant.....	1	1	3

At this count Benjamin Fletcher was Governor, Simon Young, Sheriff of Albany County, and Dirck Wessels, Mayor of Albany. The "list" is specially interesting as containing the names and enumeration of the ancestors, nearly two hundred years ago, of many of the people of Holland blood now living in this county. The census aggregates 1,452, of which 379 are men, 270 women and 803 children. Of the letters in parentheses, E. denotes English; F., French; Sp., Spanish; Sc., Scotch; I., Indian. The others are supposed to be Dutch.

The population of the city and county of Albany, as taken by the order of Governor Bellomont, in 1698, at the close of King William's war, consisted of 382 men, 273 women, 805 children and 23 negroes. In 1689, at the beginning of this war, it had been 662 men, 340 women and 1,014 children. The decrease during the war was reported as follows:

	Men.	Women.	Children.
Departed.....	142	68	209
Taken prisoners.....	16	..	..
Killed by ye enemy.....	84	..	..
Dyed.....	38	..	..
Total.....	280	68	209

The effect of the war of 1689-98 on the Five Nations is reported as follows:

	1689.	1698.
The Mohoggs.....	270	110
The Onneydes.....	180	70
The Onondages.....	500	250
The Cajouges.....	320	200
The Sennekes.....	1,300	600
Total.....	2,550	1,230

In 1703 the population of Albany city and county is reported to have been 2,273.

Rev. Thomas Barclay, in September, 1710, writes: "In the city and county of Albany, there are about 3,000 souls, besides the garrison. Most of the inhabitants are Dutch, the garrison excepted, which consists of three companies, each company one hundred men."

Governor Hunter writes to the Board of Trade, under date of June 23, 1712: "I have issued orders to the several counties and cities for an account of the numbers of their inhabitants and slaves, but have never been able to obtain it complete, the people being deterred by a simple superstition and observation that sickness followed upon the last numbering of the people." In 1715 he writes further that, "The superstition of this people is so insurmountable that I believe I shall never be able to obtain a complete list of the number of inhabitants of this province."

Governor Hunter, in April, 1716, writes to the Board of Trade: "The number of militia in this province, by my last account, is 5,060. I cannot say that the inhabitants increase in that proportion as they do in the neighboring provinces, where the purchases of land are easier."

In June, 1720, "A list of the Freeholders of the City and County of Albany" was taken, by order of the Court of Judicature, under direction of Garrett Van Schaick, High Sheriff. The county then included Kinderhook, Claverack, Schaghtioke, manor of Livingston, Niskayuna, Schenectady, Half Moon, Coxackie and Catskill. In the present territory of Albany County, 153 freeholders were reported for the city, and 81 for the manor of Rensselaerwyck.

In 1723, there were reported as whites, 1,512 men, 1,408 women, 1,404 male children, 1,369 female children—5,693; and "of negroes and other slaves," 307 men, 200 women, 146 male children, 155 female children—808. Total, 6,501.

Gosen Van Shaick, Sheriff in 1731, enumerates:

White males above 10 years old.....	2,481
" females " " " .....	1,255
White males under 10 .....	2,352
" females " " " .....	1,212
Black males above 10 .....	568
" females " " " .....	185
" males under " " .....	346
" females " " " .....	174
Total .....	8,573

The remarkable excess of the male population at this time is worthy of notice. The population of New York City at this time was 8,622, with no remarkable difference in the sex population. Sheriff Van Schaick thus remarks upon the matter: "It is remarkable that in New York there are,

above ten years, 147 males and 995 females more than in Albany, and 1,029 males and 185 females (under ten) more than in New York; which is accounted for by this part being a trading place, and many of the males go abroad; of course, many females *live fallor*; and perhaps in the county they are better breeders, I believe many younger."

In 1737 the Albany County population is stated as follows:

White males above 10 years.....	3,209
" females " " ".....	2,995
" males under " ".....	1,463
" females " " ".....	1,384
Black males above " ".....	714
" females " " ".....	496
" males under " ".....	223
" females " " ".....	197
	<hr/> 19,681

This is an increase of 2,108 since 1731, and exceeds that of New York County by 17.

An account of the number of inhabitants in the Province of New York was taken, June 4, 1746, by order of Gov. Clinton. Every county was taken except Albany. Upon this it was noted: "Not possible to be numbered on account of the enemy." This was during King George's war of 1744-48, called the war of the Austrian Succession;

At the enumeration taken by order of Gov. Clinton, May 10, 1749, after this war was over, Albany County contained:

Males under 16 years.....	2,249
" 16 and under 60.....	2,359
" above 60.....	322
Females under 16.....	2,137
" 16 and upward.....	2,087
Total whites.....	<hr/> 9,154
Male blacks under 16.....	309
" " 16 and under 60.....	424
" " 60 and upward.....	48
Female blacks under 16.....	334
" " 16 and upward.....	365
Total blacks.....	<hr/> 1,480

The whole province at this time contained 6,275 whites and 10,692 blacks.

The sheriffs of the several counties made another enumeration in 1756, during the French and Indian war. The returns of Albany County showed:

Males under 16.....	3,474
" above 16 and under 60.....	3,795
" 60 and upward.....	456
Females under 16.....	3,234
" above 16.....	3,846
Total whites.....	<hr/> 14,805
Black males under 16.....	658
" " over 16 and under 60.....	786
" " 60 and upward.....	76
" females under 16.....	496
" " above 16.....	403
Total blacks.....	<hr/> 2,619

In 1771 Gov. Tryon ordered a census, which resulted for Albany County as follows:

Males under 16.....	9,740
" above 16 and under 60.....	9,822
" 60 and upward.....	1,136
Females under 16.....	9,086
" above 16.....	9,045
Total whites.....	<hr/> 38,829
Black males under 16.....	876
" " above 16 and under 60.....	1,100
" " 60 and upward.....	250
" females under 16.....	671
" " above 16.....	980
Total blacks.....	<hr/> 3,877
Total population.....	<hr/> 42,706

This was the last counting of the people under the Colonial Government of New York. Less than four years later the war for independence had actually begun. The population during these troubled times made slow increase. It probably did not exceed 45,000 in Albany County during the Revolutionary war. But it must not be forgotten that Albany County then included what are now Columbia, Rensselaer, Saratoga, Schoharie, Greene and Schenectady Counties. A part of Vermont was also claimed.

Gov. Tryon, in 1774, makes the following remarks concerning the population of the province, which includes Albany County: "The high price of labor and the plenty and cheapness of new land fit for cultivation, as they increase the means of subsistence, are strong additional incitements to marriage, and the people entering into that state more generally, and at an earlier period of life than in Europe, the proportion of marriages and births so far exceeds that of populous countries that it has been computed the colonies double their inhabitants by natural increase only in twenty years. The increase in this colony has been nearly in the same proportion." He adds: "The accession to our own numbers by emigrations from the neighboring colonies and from Europe has been considerable, though comparatively small to the number thus acquired by some of the southern colonies."

The necessities of the Revolution made a fair census desirable in all the thirteen colonies. Accordingly, one was ordered by the Continental Congress in 1775, to be taken by committees in each county. But the returns were imperfect, and only fragments are preserved.

Another census, for the purpose of assigning State quotas and means, was ordered in 1782.

A census was also taken in 1786 under the Confederation.

The first Federal census was taken in 1790, and has been repeated every tenth year since by United States marshals and their deputies, and has formed the basis of representation in Congress. Besides the enumeration of the people, classed in different ways, almost every conceivable subject connected

with our nation's development has come to be included in our decennial census returns. But our purpose and space limits us chiefly to population. Some of the most valuable facts gathered for this county will appear in their appropriate places.

#### UNITED STATES CENSUS FOR ALBANY COUNTY.

TOWNS.	1790.	1800.	1810.	1820.	1830.	1840.	1850.	1860.	1870.	1880.	Incorporated.
Albany.....	3,506	5,289	9,356	12,630	24,209	33,762	50,763	62,367	69,422	90,758	1686
Berne.....			5,134	5,531	3,607	3,740	3,441	3,065	2,562	2,616	1795
Bethlehem.....			4,430	5,114	6,082	3,238	4,102	5,644	6,950	3,752	1793
Coeymans.....			3,574	2,872	2,723	3,107	3,050	3,116	3,077	2,912	1791
Cohoes.....									15,357	19,416	1869
Colonie.....			1,406								1808
Guilderland.....			2,476	2,270	2,742	2,790	3,279	3,246	3,132	3,459	1803
Knox.....					2,189	2,143	2,021	2,025	1,656	1,694	1822
New Scotland.....						2,912	3,459	3,304	3,411	3,251	1832
Rensselaerville.....	2,777		5,928	3,435	3,685	3,705	3,629	3,008	2,492	2,488	1790
Watervliet.....	7,667		2,365	2,806	4,962	10,141	16,675	25,449	22,609	22,220	1788
Westerlo.....				3,458	3,321	3,096	2,860	2,692	2,384	2,324	1815

NOTES.—In 1790 our present county had only the City of Albany and the Towns of Watervliet and Rensselaerville. The column giving date of incorporation indicates when new towns have been made out of the same territory. These towns have made some changes by division. The varying influences of manufactures and trade, the facilities of modern commerce and travel, and the demands of modern life have made marked changes in their population.

The first State Constitution, adopted in 1777, provided that a septennial census of *electors* should be taken as a basis of representation in the Senate and Assembly of the State. Under this authority a census of this class was taken in 1790, 1795, 1801, 1807, 1814 and 1821, each provided for by special acts. The persons counted were divided into four classes, viz.:

1. Those allowed to vote for Senator, Governor and Lieutenant-Governor, and required to be worth \$250 and over.
2. Those worth from \$50 to \$250.
3. Those not freeholders, but who rented estates for \$5 annually.

4. Those with no property qualifications, but were freemen in New York City, October 14, 1775, or in Albany, April 20, 1777.

No returns beyond these inquiries were made before the fifth State census, made in 1814, when directions were given to ascertain the total population. The last census under the first Constitution was taken in 1821.

The revised Constitution of 1821 ordered a State census to be taken in 1825, and every tenth year thereafter, for the purpose of equalizing the representation. Changes have been made in the methods of enumeration and in the number of facts to be gathered.

#### NEW YORK STATE CENSUS, GIVING THE ENTIRE POPULATION OF THE COUNTY.

TOWNS.	1814.	1821.	1825.	1835.	1845.	1855.	1865.	1875.	1885.
1. Albany.....	10,083		15,971	28,109	42,139	57,333	62,613	86,541	.....
2. Berne.....	4,447			3,956	3,667	3,206	2,851	2,565	.....
3. Bethlehem.....	4,325			3,303	3,315	5,151	5,928	3,746	.....
4. Coeymans.....	3,272			2,957	2,978	2,963	3,264	3,122	.....
5. Cohoes.....								17,943	.....
6. Colonie.....	1,657								.....
7. Guilderland.....	2,204			2,803	2,995	3,188	3,207	3,502	.....
8. Knox.....				2,262	2,161	1,888	1,809	1,641	.....
9. New Scotland.....				3,130	3,288	3,227	3,311	3,264	.....
10. Rensselaerville.....	5,333			3,507	3,589	3,088	2,745	2,579	.....
11. Watervliet.....	2,564			6,961	11,209	20,889	27,279	20,894	.....
12. Westerlo.....				3,074	2,957	2,648	2,497	2,316	.....

We regret that all our researches have failed to give us the United States Census returns for the country towns in the county in 1800, and of the State census returns in 1821 and 1825.

The act passed by the Legislature of 1885, providing for taking the State decennial census of that year, was vetoed by Governor Hill, and no census has been taken.

## ANTI-RENTISM IN ALBANY COUNTY.

ITS ORIGIN, RISE AND PROGRESS—ITS ADVENT AS A POLITICAL POWER, AND ITS DECLINE AS SUCH—REMARKABLE SHERIFF'S POSSE AND MILITARY DEMONSTRATIONS—THE LEGAL CONTROVERSY—THE QUARTER SALE AND ITS OVERTHROW—MANOR PROPRIETORS FINDING THAT THEY ARE NEITHER LORDS NOR PATROONS, NOR LANDLORDS, SELL THEIR DISPUTED INTEREST—FORFEITURE AND CONFISCATION OF LANDS, WITH THE BUILDINGS AND OTHER IMPROVEMENTS ENFORCED BY SPECULATORS—PRESENT STATUS OF THE CONTROVERSY.

By Hon. ANDREW J. COLVIN.

ANTI-RENTISM had its origin in Albany County. It started into existence very soon after the death of Stephen Van Rensselaer, the last holder of the manor of Rensselaerwyck under the British crown. His death occurred on the 26th day of January, 1839. He was known to that generation as the patroon, sometimes the good patroon, and after his death as the old patroon. The manor was more than a principality in size, and comprised the greatest portion of the lands—cultivated and wooded—in the present counties of Albany and Rensselaer.

As primogeniture was the law of inheritance in England, so it was of the colonies, and this Stephen Van Rensselaer, therefore, as the eldest son, inherited this manor of Rensselaerwyck. The revolution, and the laws following, changed the rule of inheritance, and gave to all the children alike.

To break the force of this radical change, and to keep this vast landed interest in the hands of his two eldest sons that might be, and their descendants, if possible, this Stephen Van Rensselaer on arriving at his majority adopted the system of selling his lands in fee, reserving to himself in the conveyances, and to his heirs and assigns, all mines and minerals, all streams of water for mill purposes and the like; and then certain old-time feudal returns, denominated rents, payable annually, at the manor house in Watervliet, such as a specified number of bushels of good, clean, merchantable winter wheat, four fat fowls, and one day's service with carriage and horses; and, finally, the reservation or exaction of one-quarter of the purchase price on every vendition of the land.

This patroon was advised that he could do this, even on grants in fee; and it is reported that Alexander Hamilton framed the form of conveyance to be adopted.

There was at this time an English statute, known as the statute of *Quia Emptores*, which rendered it impossible for a subject, on a conveyance in fee of his land, to make, or if made to enforce by re-entry or forfeiture, such feudal reservations. That was a right remaining in and belonging to the crown alone.

It was, probably, assumed by Mr. Hamilton that that statute was never in force in the colony, and that it, therefore, had no existence in the State, or any statute tantamount to it; or he may, perhaps, have had no knowledge of the English statute, as it was adopted so long ago as the reign of Edward I.

However that may have been, it is certain that this patroon, acting upon such advice from some quarter, sold in fee, with warranty of title, his farming lands in Albany and Rensselaer counties, the deeds containing the feudal reservations above mentioned. The system seemed to work smoothly enough during his life and the lives of the first purchasers; but, on his and their death, the successors of the latter, as owners, began to grow restive under the burdens imposed; and, on being urgently pressed after the death of the patroon by his sons Stephen and William to make payments of the rents in arrear as reserved in the deeds, they—the owners of the lands—began to question the legality of the reservations.

The patroon, by his will, devised all his interest in the lands thus sold by him in fee, with the reservations of rents, to his two oldest sons, Stephen and William P.; the scrivener who drew the will and himself undoubtedly supposing that he verily owned the escheat or reversion of such lands; in other words, and in more familiar language, that he still owned or retained the soil thereof. To the oldest son, Stephen, was given the rents in Albany

County; and to William P., the second son, the rents in Rensselaer County, as reserved in the conveyances.

Here, on the death of the father, commenced the first troubles of the landholders, or the tenantry, as they were called by the manor proprietors.

While the old patroon was one of the most gentle, kind-hearted and benevolent of men, and often generously reduced the rents, and by many sympathetic acts called forth the gratitude and love of the landholders, the young patroons,—proud, perhaps, of the great acquisitions, and it may be withal in need of money, as the rents, after the father's death, came in sparingly and reluctantly,—were sternly exacting, and they required full and prompt payments, and omission to pay was followed by prosecution and threatened eviction.

It was not long, under these circumstances, before strong hostility was exhibited to the fee-farm rent system in these two counties, soon extending into adjacent counties affected by the same system.

It is remarkable, on taking advice of counsel, as the landholders did, that no opinion was given or suggestion made that the deeds of the patroon being absolute conveyances of all his interest in the lands, the reservations were, for that reason, invalid as incumbrances, made so by the English statute before mentioned.

The counsel consulted were either ignorant of the existence of that statute or they dismissed the consideration of it on the assumption that it was never the law of the Colony or of the State. Had that statute, at the time of the anti-rent outbreak, been recognized as the law of the State, it is not too much, probably, to assert and believe that, before the distinguished judges who then adorned the bench, with the Senate composing the court of last resort—a popular as well as judicial body—the anti-rent controversy would have been spared more than a quarter of a century of political and legal conflict, and the feudal-burdened counties have become as enlightened, prosperous and free as their sister counties of the State.

The anti-renters, desirous of compromising the disputed matters on some equitable, even liberal basis, early in the spring of 1839 held a convention or meeting, numerous attended, on the Helderbergs, in the town of Berne, and appointed a committee to wait on Stephen Van Rensselaer, the eldest son of the old patroon, for the purpose of ascertaining if an amicable settlement of manor claims for rents in arrear could not be effected, and to learn, in the language of the day, upon what terms the soil could be bought, ignorant that

they owned the soil already by their deeds of conveyance.

The committee, consisting of such sterling men as Lawrence Vandusen, of Berne, afterwards elected county clerk, who acted as chairman; Edgar Schoonmaker, Hugh Scott, Joseph Connor and John F. Shafer and others of that town, and Denison Fish, Lawrence Fenner, Isaac Hoag and others of Rensselaerville, and other representative men of the hill towns and towns below the hill, on the 22d of May, 1839, went to the manor office in Watervliet to see and converse with Mr. Van Rensselaer on the subject for which they were appointed; but he refused to speak to or recognize them even by a nod. Passing into the inner office occupied by his agent, Douw B. Lansing, he held a somewhat lengthened and confidential conversation with him, and the agent then came out and said that Mr. Van Rensselaer would communicate with them in writing. This excited great indignation, the committee feeling that they had been treated with lordly and haughty contempt.

Mr. Van Rensselaer did some times subsequently address a letter to Mr. Vandusen, the chairman of the committee, which was read at meetings of the anti-renters held at East Berne on the Helderbergs, and other places in the summer of 1839. In this communication Mr. Van Rensselaer declined to sell on any terms, saying, among other things, that he would be doing injustice to himself, to his family and to society at large should he consent to do so.

This determination of the manor claimant on the Albany side of the river led to the wildest excitement in the anti-rent towns of Albany County, and open resistance to the collection of rents was boldly urged and practiced. Rent agents were insulted, and were not safe among the excited people. Sheriffs were resisted in discharge of their duties, by men masked and dressed in calico and Indian costume; their horses were shorn of mane and tail; the wheels of their vehicles were removed and hidden; firearms were displayed; tar and feathers threatened, and strong demonstrations of force generally exhibited.

Such was the extent of the resistance that early in December, 1839, the Sheriff, Michael Archer, called to his aid, in serving process, the *posse comitatus*, or power of the county. Among many prominent citizens summoned was ex-Gov. Marcy, who, amid much laughter, declared grimly and facetiously his readiness to go; and he did actually go with the *posse* on foot as far as Adamsville, where a gentleman friend found him and conducted him in his carriage as far as Clarksville, and there the

Governor remained until evening, when he returned with the *posse* to Albany.

The Sheriff, with his *posse*, consisting of six hundred citizens, started from Albany on the third day of December, 1839, for Reidsville, a hamlet on the Helderbergs, about sixteen or eighteen miles from Albany. On arriving within a few miles of the place, the Sheriff, selecting from the body of the *posse* a committee of seventy-five of the stoutest hearted, left with them for Reidsville, where it was understood the anti-renters were collected in force. Just before reaching Reidsville the Sheriff and his committee encountered a body of fifteen hundred mounted men posted across the public highway, barring and refusing their further progress, and ordering them to go back. Whereupon the Sheriff and the committee returned obediently as directed; and on making report to the main body of the *posse* of the formidable resistance encountered, the whole body gladly took the backward march to Albany, where they arrived in safety the same evening at 9 o'clock.

People generally at the time, in discussing this unheard of *posse* and its ridiculous termination, declared that a bold front on the part of the Sheriff, with twenty resolute men, would have enabled him to pass through the mounted horsemen without injury, and do what he desired to accomplish of a legal character.

On the morning after his return, the Sheriff gave the Governor—William H. Seward—an animated if not exaggerated account of the resistance he had met with.

The Governor deemed it his duty, under the circumstances detailed, to call out the military, and he did so promptly and efficiently, for he ordered out a force sufficient to capture every man, woman and child on the Helderbergs. It was composed of the Albany Burgesses Corps, Captain Bayeux; Albany Union Guards, Captain Brown; Albany Republican Artillery, Captain Strain; First Company Van Rensselaer Guards, Captain Kearney; Second Company Van Rensselaer Guards, Captain Berry; Troy Artillery, Captain Howe; Troy Citizens Corps, Captain Pierce; and Troy City Guards, Captain Wickes.

This formidable body of citizen-soldiery, in general command of Major William Bloodgood, headed by Sheriff Archer, started for Reidsville, on the Helderbergs, December 9, 1839, to encounter and overcome the rent-resisters. With colors flying, drums beating, cannon rumbling, and bayonets gleaming in the wintry sun, its march from Albany was imposing.

It reached the Helderbergs without a shadow of resistance, and, encamping at Reidsville, found no enemy there to attack or oppose. It remained in camp and on duty at that point, and other places, for a week, and then returned to Albany, greatly chagrined and sadly bedraggled, amid the peltings of a pitiless rain storm of almost unexampled severity.

Similar but much smaller demonstrations, under proclamations of subsequent governors, set on foot by rent claimants and timid sheriffs, have occurred several times since. The object has always seemed to be, not to serve and enforce process, for that was never really impossible in the hands of a vigorous and courageous officer, with only a respectable *posse*; but by military exhibitions of display, accompanied by sheriffs' *posses* in force, to intimidate and drive the landholders into settlement and payment of iniquitous demands.

The resistance to the collection of rents and attempted enforcement of collections went on for some time in the tumultuous manner stated, without successful or encouraging results on either side. The landholders hoped the petty and threatened acts of resistance made by them might induce Mr. Van Rensselaer to offer some terms of compromise; but he refused all compromise unless his tenantry, as he called them, would cease all further opposition, acknowledge themselves in the wrong and pay up what they owed.

This obstinate state of the controversy led the landholders, under the advice of some antiquarian adepts in legal lore, to question the Van Rensselaer title to the manor. It was insisted that the letters patent were invalid on many grounds, not necessary now to be stated, as it would lead to fruitless discussion. It is enough to say of it that it soon brought the feudal rent conflict into the arena of politics.

Politicians, always keen to scent the advent of a new and potent power for votes, were quick in seizing this opportunity and putting the landholders in shape for political action. They must, it was urged, have a public press to make their cause and their grievances known to the people, and this was done with little delay.

The *Freeholder*, published in the City of Albany, became the organ of the embryo party. It was conducted for many years with great ability. Both of the old political parties, to a greater or less extent, entered into the controversy, although the National Republican or Whig party, then the opposition party to the Democratic, furnished, apparently, the largest number of anti-rent or land-

holders' advocates. The landholders now sought, through political agitation, the enactment and enforcement of laws to protect them against the feudal exactions. Their first object, therefore, was to secure the Governor and a controlling number of members of the Legislature; and at once, in the elections, they made their power felt. Rensselaer, Columbia, Dutchess, Sullivan, Ulster, Greene, Delaware, Otsego, Schoharie, Schenectady and Montgomery Counties promptly sent representatives of the landholders to the Legislature; and Albany County espoused their cause by overwhelming majorities. Ira Harris, as their especial representative, was elected to the Assembly in 1845 by a majority exceeding two thousand votes. In 1846 he was elected a delegate to the Constitutional Convention, and in the same year again to the Assembly, and subsequently to the Senate, and finally to a seat on the bench of the Supreme Court. Silas Wright, whose name was a tower of strength, and who, as the Democratic candidate for Governor, carried the State in 1844 for Polk as President against Henry Clay, was beaten for re-election by John Young in 1846, because his action as Governor with respect to the anti-rent outbreak in Delaware County, in which Steele, a deputy sheriff, was killed, had given offense to this new and potent organization. It would be out of place, in a history of Albany County, to detail the successes or the defeats of this organization in other counties or in the State, or its fate in the Legislature, or its decline as a political body. It is sufficient to say that the landholders' party, as a political organization, with its organ, the *Freeholder*, died out gradually, and that the contest subsequently became strictly legal in its character.

Among the conditions contained in the manorial grants in fee, as well in Albany as in other counties, was a provision that the grantee, his heirs or assigns, was to pay to the lord or proprietor of the manor, on every sale or vendition of the land *ad infinitum*, one-quarter of the purchase price; so that, if a given farm—worth, for instance, \$2,000—with all its buildings and other improvements, put on it by the landholder himself, was sold four times, the manor proprietor would get the whole value of the farm, including the improvements; that is, \$500 on each vendition, making the full sum of \$2,000 on the fourth sale.

Litigation in the courts first assumed shape on this quarter-sale provision in 1848, and in 1852 the question was carried into the Court of Appeals for final adjudication. The ground taken there by the counsel for the landholders in opposition to the

quarter-sale was, that the condition was void because it was a fine upon alienation, repugnant to the grant and against public policy; but Judge Ruggles, who delivered the opinion of the court, placed the decision in effect upon the statute of *quia emptores*, which, although he concluded was not in force within the colony, and, therefore, not in the State, yet, in his own words, "that our statutes of escheats and of tenures, the one passed in 1779 and the other in 1787, acting retrospectively, performed the same functions and wrought the same changes in the feudal tenures of this State as the statute of *quia emptores* did in England. They put an end to all feudal tenure between one citizen and another, and substituted in its place a tenure between each landholder and the people in their sovereign capacity; and, by taking away the grantor's reversion or escheat, they removed the entire foundation on which the power of the grantor to restrain alienation by his grantee formerly rested, and they placed the law of this State, in respect to the question in controversy, on the same footing on which the law of England now stands and has stood since the reign of Edward the First"—that is, since 1290, when the statute of *quia emptores* was passed.

Judge Ruggles also said: "The right of re-entry for non-payment of rent, or the non-performance of other covenants, is not such an interest in the estate as makes the condition in question valid. It is not a reversion, nor is it a possibility of reversion, nor is it any estate in the land." And again he said: "A rent is not a reversion or a possibility of reversion, and nothing but such a reversionary interest in the land has ever been held to authorize a condition against alienation."

And Judge Ruggles adds, in the same opinion, that, although the quarter-sale condition is valid in leases for lives and years, for there the lessor has a reversionary interest in the land, yet on conveyances in fee it is void, for he has no reversionary interest left. And such was the unanimous judgment of the Court of Appeals; and so ended all further enforcement of this hoary-headed exaction.

The life and soul of this decision is this: the manor proprietors by sale and conveyance of their lands in fee divested themselves of all estate in the lands, and no relationship whatever of a legal character thenceforth existed between them and their grantees. They were not landlords, and the grantees were not tenants; for it is idle to call him landlord who does not own the land, and him tenant who does own it. And so quarter-sale con-

dition died, and by parity of reasoning so died also all other attempted feudal restrictions, by way of covenants or conditions in deeds in fee, to free commerce in manor or other lands in the State of New York.

The Court of Appeals at the time of this decision was composed of the following Judges: Charles H. Ruggles, Chief Judge, and Addison Gardner, Freeborn G. Jewett, Alexander S. Johnson, John W. Edmonds, Malbone Watson, Philo Gridley and Henry Welles, Judges.

The Court of Appeals, in a subsequent decision, pronounced in 1859, by Judge Denio, dissented from the opinion of Judge Ruggles with respect to the existence of the statute of *quia emptores* here, and held that that statute was always the law of the colony, and that it was the law of the State as well before as after the passage of our act concerning tenures in 1787. "A contrary theory," said Judge Denio, "would lead to the most absurd conclusions. We should have to hold that the feudal system, during the whole colonial period, and for the first ten years of the State government, existed here in a condition of vigor, which had been unknown in England for more than three centuries before the first settlement of this country."

After the decision of the Court of Appeals in 1852, the Van Rensselaers and other manor proprietors were advised by their counsel to sell, as it was evident that the other feudal conditions, such as the payment of wheat in bushels, fat fowls, days' service with carriage and horses and the like, contained in the conveyances, and forfeiture of the land in case of non-payment, must rest and be rejected upon the same principle as the quarter-sale condition, to wit, want of relation of landlord and tenant between the parties; for if that relationship did not exist in the one case, it was obvious that it did not exist in the other, and could not, therefore, exist at all.

While the manor proprietors, tired of the long continued resistance and the failure to collect alleged rents, had, previously to 1852, in a few instances, sold to some submissive landholders the soil of their farms, as it was called, they now, under the adverse litigation attending the quarter sale, on the advice of counsel mentioned, expressed a willingness to sell at prices ridiculously small, if they really believed the rents claimed were legal and collectable; and speculators or adventurers in numbers, ever ready to take chances, however desperate, or, if possibly successful, however detrimental to the general welfare, pressed forward to buy; and they bought. The chief or

principal purchaser was Walter S. Church, then of Allegany County, New York.

It must be here observed, once for all, that the term speculator or adventurer in this case is not made use of in an invidious or offensive sense, or even reproachfully, but by way of designation or discrimination. He is not an inheritor of manorial rights, and he does not take by devise. He simply comes in as a stranger on speculation, and buys casual or disputed claims, as he would buy lottery tickets or stocks in Wall street. He is, therefore, a speculator or adventurer in the contest, in which he purchases chances. If successful in the venture, his fortune is made, and he can take his ease, and live and spend and entertain freely and handsomely. If unsuccessful, he is no worse off than other speculators who spend on a hazard all, perhaps, they possess, and all they can borrow.

The last mentioned purchaser or speculator has, for more than thirty years, made a busy and troublous time of the venture for himself and for the landholders.

That he has been indefatigable in it, is saying little. His labors and his activity have been immense, and his presence, wherever or however required to promote or protect his interest, has been almost ubiquitous. Did the controversy drift into the Legislature, as it did from time to time, he confronted it there, at every step, with an energy untiring and sleepless, and open house and ample table as potent auxiliaries. When it went into the courts in the form of multiplied ejectment suits, prosecuted under his personal direction and in his interest, he was there alike active, untiring and vigilant; and it must be written, or this historical sketch will be imperfect, honored judges did not deem it improper, and have not considered it incompatible with their position, to accept the proffered hospitalities of his bachelor home, partake of his sumptuous repasts, sip his costly wines, and receive his courtly attentions; and distinguished lawyers, and lawyers engaged in the cases against the landholders, have participated in the entertainments; even Governors and Lieutenant-Governors have not refused to join in them.

It may be said that these social entertainments have exercised no control in the judgments pronounced by the courts. That may be so. But in cases involving civil rights, the forfeiture of real property and enormous pecuniary exactions besides, it cannot be expected that the landholders, victims in the actions, have regarded their possible influence with indifference. In a great controversy like this, in which judgments are given upon the

statutes of landlord and tenant—where such statutes cannot possibly apply—the rule of *stare decisis* should not be allowed to prevail; and therefore the judges should keep their minds open to further argument and decision, without possible bias in any way or from any direction; for it has been well said that a single decision has never, in any case, been allowed to stand if found opposed to principle, and in a conflict of decisions the doctrine of *stare decisis* does not hold.

It is familiar to every well-read lawyer that there are hundreds of cases in the books that have stood settled as law for centuries, which have been overturned by the broad, luminous and analytical mind of a Mansfield or a Marshall, a Spencer or a Kent—intellects which have elevated and ennobled the race, not debased and degraded it—and it will scarcely do to say that this generation of judges is infallible, or wiser and greater than those illustrious prototypes.

If it be asked how the controversy has progressed since the purchase by the adventurers, and how it stands to-day between them and the landholders, it may be summed up briefly.

In 1858, in the case of Van Rensselaer against Ball, first, among many cases, that went to the Court of Appeals after decision in the quarter-sale suit, the right of the manor proprietors, or the purchasers of their interest, to maintain actions of ejectment against the landholders, was put by that Court, in the opinion written by Judge Denio, before alluded to, upon a statute passed by the Legislature in 1805, authorizing grantors of lands to have the same remedies for the recovery of rents as if the reversion had remained in them.

Now, this statute was passed after the manor proprietors had sold their lands, with scarcely an exception, and could not, therefore, be legitimately employed in the office it was called on to perform; that is, it could not confer a right if none existed before. But this was not all; Judge Denio then proceeded to apply the statutes of landlord and tenant to the cases, after he had demonstrated beyond all contradiction that these statutes could not by any possibility be made to apply, in consequence of the prohibitory statute of *quia emptores*, and our statutes of tenures and escheats.

This decision so shocked the public conscience, that the Legislature in 1860 promptly repealed the statute of 1805, so far as conveyances executed before that time were concerned.

After that statute was repealed, the feudal rent litigation was renewed; and other cases, having gone through the lower courts, were carried to the

Court of Appeals for renewed decision, where they were decided in 1863. That Court then took a new departure, and held that the statute of 1805 was not necessary to the maintenance of the actions, but that the provisions of a statute enacted in 1846, abolishing distress for rent, and for other purposes—a statute passed in the interest of the landholders, through the agency of their own representatives in the Legislature—supplied the place of the statute of 1805. The opinion in the case was written by Judge Henry R. Selden.

Judge Selden, after relying on the statute of 1846, as Judge Denio had done on the statute of 1805, to sustain the actions, undertakes to uphold them on the strength of an opinion expressed by Sugden in his work on "Vendors and Purchasers," and on two or three controverted English cases. But neither Sugden nor the disputed cases advance the idea, or even hint at it, that there can be any forfeiture of land for non-payment of rent, outside the relation of landlord and tenant; and it may be asserted, without fear of contradiction, that no case can be found, English or American, *where re-entry, or ejectment for default in the payment of rent, has been had or allowed, except where the relation of landlord and tenant existed, or was supposed to exist.*

It has been shown that the decision in the case of Ball, in 1859, in which Judge Denio wrote the opinion—is no exception to this rule—for the judgment in that case was expressly affirmed, by help of the statute of 1805, upon the statutes of landlord and tenant. And Judge Selden, in his opinion in the Reid case, written in 1863, is forced finally to admit and declare that the actions are not maintainable, except the relation of landlord and tenant exists between the parties. His very language is here copied, and is as follows: "*In many cases in our courts, between parties similarly situated, they have been spoken of and treated as landlords and tenants, and the decisions in the cases of Van Rensselaer v. Snyder (13 N. Y., 299) and Van Rensselaer v. Ball (19 N. Y., 100) can be sustained on no other ground, as they depended entirely upon a statute applicable only to parties holding that relation (2 R. S., p. 505, § 30).*"

Of the eight judges who composed the Court of Appeals in 1863, when Judge Selden wrote his opinion, it is notable that two of the most distinguished Judges of the Court, Wright and Rosekrantz, who heard the arguments, refused to take part in the decision. They could not be brought to assent to the remarkable doctrines announced by Judge Selden.

Upon this indefensible assumption by Judge Selden of the relationship of landlord and tenant between the parties to this controversy (where such relationship does not exist), hangs the enormous exactions thereafter, and even now, bitterly wrung from the cultivators of lands absolutely owned by themselves.

The workings of the system, thus inaugurated by the Court of Appeals, may be illustrated by a few out of many examples :

On the 17th day of February, 1860, one of the coldest days of the winter, the principal adventurer in the claims, accompanied by the Sheriff and his *posse*, some fourteen or fifteen in number, armed with pistols and clubs, and handcuffs to bind any that might be found to oppose, made a sudden descent upon the farm and premises of Peter Ball, situated on the Helderbergs, near the village of Berne. The farm had been his and his forefathers for generations, but then and there, in the midst of a furious mountain snow-storm, they cast him, with his family, consisting of his wife, a sick daughter and an aged colored servant, from the dwelling, out upon the public highway.

The value of this farm, within the very limits of the village, with its new, convenient and handsome dwelling-house, and other improvements, made by Peter Ball himself, was very considerable. It was one of the most desirable and picturesque places on the Helderbergs ; and as the poor old people, the sick daughter and the aged servant were forced to leave, their cries and their tears touched many a tender heart.

It may be truthfully\* asserted that when the Patroon sold his lands on the Helderbergs, there was not probably an acre that was worth more than twenty-five cents. The value was given afterward by the buildings and other improvements put upon the lands by the purchasers.

It was necessary, it was said, to make an example of Peter Ball, because he had been a leading and persistent anti-renter, for the influence it might exert at the time upon other anti-renters to come forward and settle exacted claims.

Martinus Lansing, whose extensive farm lay on the east or Greenbush side of the river, in view, probably, from the pinnacles of the Capitol, beneath which, in august dignity, now sits the Court of Appeals, is a more recent and flagrant case of dispossession. On this farm, worth not less than twenty-five thousand dollars, it has been estimated there was an unpaid rent claim of about eight hundred dollars. Mr. Lansing was required to pay six thousand dollars to be reinstated. He paid four thousand dol-

lars, and because he did not promptly pay the other two thousand, although he subsequently offered to pay it, and the payment was refused, he and his family were removed from their dwelling-house by an armed body of officers and men. The great farm, with all its buildings and other improvements, put on it by Mr. Lansing's forefathers, with extensive additions and betterments by Mr. Lansing himself, was immediately taken possession of by the chief speculator ; and he is to-day occupying the fine dwellings and large barns, and planting and reaping the broad acres, and pocketing the fruits, rejoicing in the great acquisition, and making exhibitions of it to admiring friends.

The reader will not be surprised to learn that Mr. Lansing died of a broken heart, poor and penniless, and that his unmarried daughters, forced to support themselves as best they may, or dependent upon the liberality of relatives, have suffered a desolation, distress and mortification over which sympathetic neighbors and friends have dropped many a tear of charity.

Another case of dispossession was that of William Witbeck, of Greenbush, whose farm lay west of Mr. Lansing's, and nearer the river. The Olcott place, which occupies a site commanding a view of all Albany, forms in part its western boundary.

As a grass and stock farm, with its buildings and other improvements put on by the Witbeck family, it was very valuable—worth not less, probably, than fifteen thousand dollars.

Witbeck had paid all assumed rent claims against this farm, but there was yet unpaid, it seemed, the costs of the ejectment suit, amounting perhaps to one hundred and fifty dollars. These, by some oversight, had not been paid. They might have been collected at any moment upon execution, if Witbeck had refused to pay, as he had much cattle and other property on this and other farms in the same neighborhood. But this was not what the principal speculator in fee-farm rents was seeking. Witbeck, he insisted had been contumacious, and had forfeited his right to retain the farm, and he declared his intention, therefore, to take possession. For this purpose Hiram Griggs, a deputy of the Sheriff of Rensselaer County, with an armed posse, was dispatched to take possession. Witbeck, as he had given out he would do, resisted, and in the encounter which followed Griggs was shot, and subsequently died. Witbeck and his two sons were arrested and indicted for Griggs' murder. They were tried in Saratoga County, and were acquitted. In the meantime, secured against further resistance, the speculator obtained peaceable possession of the

farm, and he retains it to this day, with its bountiful ingathering of harvests and fruits.

Such are some of the results of landlord and tenant statutes, where such statutes do not apply. It is the merciless taking and appropriation of land (by judicial accomplishment), with all the buildings and other improvements, put on it by the owners themselves, which never belonged to the manor or proprietors nor to the purchasing speculators; here in the State of New York, near the close of the nineteenth century, in a manner equal to anything in atrocity that could have occurred in the barbarous ages of the ninth century, when feudalism was first forced on allodial soil and on free men.

The system of swooping in farms, with the buildings and other improvements, now practiced, under the same incongruous statutes, (made possible by the like judicial action) may be illustrated by the method in which it is done:

Ejectment suits are brought to recover one year's rent claimed to be due—generally the last year—and recovery of possession of the farm for non-payment. The landholder, on prosecution, goes to the office in Albany to pay the year's rent sued for, and the costs of the action. Payment will not be accepted unless he will also pay all rents claimed to be in arrear; it may be for fifteen or twenty, perhaps thirty years. The landholder remonstrates, on the ground, as often happens, that he has only owned the farm a few years, and should not be asked to pay longer than he has owned. He is told that that makes no difference; the farm is liable, whoever may have been the owner, and he must pay all rents claimed or lose the farm. On inquiry as to the amount claimed, he is startled to learn that it exceeds the value of the farm, perhaps, with all the buildings and other improvements. That result is brought about by charging the fullest prices for the wheat, the fat fowls and the days' service with carriage and horses, with annual accumulations of interest on each. It is the old story; the successors of the old Patroon chastised the landholders with whips; the adventurers chastise them with scorpions.

The distressed farmer, sued for one year's rent, goes home and communicates to his astonished family the ruin that impends over their peaceful habitation; and ruin promptly comes in the person of the speculator, with the sheriff and *posse* at his back, who speedily close the scene upon the wretched family by pitiless dispossession unless every claim be paid.

The prices of rents claimed have been greatly increased by the speculators since the days of the

Patroons; then the fat fowls and the days' service with carriage and horses, etc., were put at uniform rates of moderate character; now they are advanced to the extremest tension. It is this feature of the fee-farm rent system, among others, which makes it so bitter, harsh and unendurable. In cases between landlord and tenant, where that relationship actually exists, the landlord must specify in his petition or complaint the exact amount of rent claimed to be due, so that the tenant may know what he has to pay, and he pays it, or leaves the premises at his option, to which premises the tenant makes no claim, for he never owned them. He has added nothing to their value by buildings or other improvements, and he leaves them without loss or distress.

Very different from this is it with the fee-farm rent system. Here the courts do not require the speculators, on prosecution, to fix the amount of rent claimed to be due. That is left to their tender mercy after they have got their ejectment judgment; and if the landholder don't then pay as required, he loses his farm, with all the buildings and other improvements put upon it by himself. These buildings and other improvements, even more valuable, perhaps, than the land itself, the Court of Appeals declared in 1852, in the opinion delivered by Judge Ruggles in the quarter-sale suit, never belonged to the manor proprietors, and certainly, therefore, never belonged to the speculators in the manor claims. Yet these speculators are now allowed, under the statutes of landlord and tenant (with assistance of the courts), to take the buildings and other improvements as well as the land itself, which the Court of Appeals, in 1852, as above declared never belonged to the manor proprietors.

This category of the fee-farm rent system places it in a light of terrific injustice.

It may be asserted, boldly and unflinchingly, that the declaration of the Court of Appeals, before mentioned and transcribed, *that because, in many cases, the parties to this controversy have been spoken of and treated as landlords and tenants, therefore, their status as such is forever fixed and cannot be changed, where that relationship does not exist, is judicial legislation and tyranny.\**

\* This language is used advisedly. Writers on social science concede that the courts in this country have assumed legislative power. Lester F. Ward, A. M., of the Smithsonian Institution, in a recent work on "Dynamic Sociology," says: "There are two classes of law-making bodies—courts and legislatures. The growth of law through the courts is almost unrecognized by the people at large; yet its development by this agency is, perhaps, more rapid than by legislation." The author is inclined to approve this usurpation, unmindful that judicial legislation is invidious despotism, paving the way for imperialism; destructive assuredly of our system of government described by President Lincoln as the "government of the people, by the people, for the people."

This judicial legislation on this rent question makes him who does not own the land, landlord, and him who does own it, tenant, and gives the former the latter's land, with all the buildings and other improvements, without compensation.

The question admits of no dispute, and is of ready solution: it is determined by inalienable law, and all the courts in the civilized world cannot controvert or change it.

Suppose a man, owning one of these manor farms, dies without will, and without heirs, lineal or collateral, to inherit, to whom does the farm escheat or revert, to the manor lord, or in this case to the speculator who has purchased his interest, or to the people of the State in their sovereign capacity? Every tyro in the law knows that it goes to the people. Why? Because the reversion or escheat of all lands held in fee is in the State.

This point may be further illustrated by the manner in which the taxes upon these "anti-rent" lands are assessed and paid; which is matter of interest to distressed taxpayers generally, and to opponents of non-taxable Government bonds. The speculators have never been assessed for or paid any taxes on these lands which they claim to own as landlords over a peasant tenantry. If it be said that the manor proprietors, or the speculators who have purchased from them, are not bound to pay the taxes because of the original indentures by which the farms were acquired, that does not obviate the difficulty of the assessment of the taxes. If the speculators were the owners of the lands, the assessment would be levied against them as the owners; whereas, it is a well-known fact that such taxes have always been assessed to and paid by the farmers, as the owners in fee of the lands, and not as tenants either of the manor proprietors or of the speculators. The speculators have not only paid no tax or assessment of any kind on these "anti-rent" farms, but they have successfully resisted the payment of any tax on the vast amounts of rents which they have collected from the owners of these lands, as the tax receivers in the towns will testify. Hence it has now come to be understood that the speculators have here, under the ægis of the courts, a bonanza; a property superior to any other in the country; far better than non-taxable United States bonds, for they have a limit of existence, while this rent exaction is claimed to be indestructible; assuming always that the de-

cisions of the courts are never to be reversed on this question.

The people of the State, therefore, are landlords of all these manor lands, as well as of all other lands held in fee, and no individual grantor, be he whom he may, has the slightest interest or possibility of interest in any land after he has made a deed of conveyance thereof.

Servitude to the soil in perpetuity, or involuntary servitude (better known to early ages as feudal servitude, the lords in which were known as lords superior, and the cultivators of the land as vassals, feuds or bondsmen), was imposed upon France by despotic rulers in the ninth century. It was brought from Normandy and planted on the allodial soil of England in the eleventh century by William the Conqueror. It was extirpated thence, in 1290, by the statute of *quia emptores*.

That statute was the law of the colony of New York, and it and tantamount statutes have always been the law of the State. Yet the degrading system, attempted to be fastened upon the eastern counties of New York by pseudo-Patroons and manor lords, has been actually fastened upon them by judicial legislation, under anomalous statutes of landlord and tenant, where such statutes do not and cannot be made to apply, even by legislative enactment; for our Legislature is not omnipotent, like the British Parliament, but is controlled in its action by both national and State constitutions.

Whether the system is to be perpetuated for the benefit of the speculators and their assigns, or their posterity, by judicial fiat, remains to be seen.

However that may be, candid and generous men will acknowledge that to the derided "anti-renters" must be accorded the honor of arresting the progress over the continent of this revival of mediæval despotism; for there is no telling to what length it might have extended over land in vast tracts, comprising millions of acres, held by corporations and wealthy capitalists, had it not been for the determined and world-wide known resolute resistance to the enslaving system by anti-renters of the State of New York.

Through their sturdy resistance, the constitutional convention of 1846 put the system under ban for all future time throughout this commonwealth, whence it is not likely ever to have further resurrection.

## THE MANOR AND THE VAN RENSSELAERS.

By Prof. J. TENNEY.

A HISTORY ought to be fair and unprejudiced; and on a question which has caused so much political and legal strife as was made by the contest between the opposing claimants upon the manorial estates in Albany County, under the Van Rensselaer leases or deeds, both sides should be permitted to make the amplest statements. With this view, I had early and frequent conversations with Mr. A. J. Colvin and Mr. C. M. Jenkins, lawyers upon opposite sides of the controversy when it was in the courts; both eminent for learning and ability; both natives of the county, and now among the few still living, at a venerable age, who knew the whole matter from their personal and local relations to it. I invited both to present, in writing, the historical and legal points in a controversy that, in its day, in this locality, was hardly excelled by that of anti-slavery in intensity of interest. Mr. Colvin only has responded to my request, giving, from his view-point, the only consecutive and detailed account of the contest in its historical and legal aspects, and in its progressive steps and present status, that has ever been given. The preceding article commends itself by its clear statements of both sides of the question, by its forcible arguments, and its evident desire to be fair to all parties and true to history.

The student of history will be interested in the facts which we give below, gathered as reminiscences from some of the oldest living lawyers, and from other reliable sources.

Alexander Hamilton, brother-in-law of Gen. Stephen Van Rensselaer, the "old Patroon," is said to have been his early legal counsel after he came in possession of the manor, in 1785. After the death of Hamilton, in 1804, if not before that event, John V. Henry, who died in 1829, and Abraham Van Vechten, who died in 1837, among the most eminent lawyers of their time, were employed as his counsel. It is said he paid them each a salary of \$1,000 per annum. The following anecdote has been given: About 1815, Mr. Van Rensselaer notified Mr. Henry that he could no longer pay his salary. "Very well," replied Mr. H., "then I shall be at liberty to accept a retainer

from your tenants, and I will then show you that they are no longer your tenants, but the owners of the lands." The stipend was continued to the close of Mr. Henry's life.

Teunis Van Vechten succeeded Abraham Van Vechten as the Patroon's counsel. Then Teunis Van Vechten formed a copartnership with Daniel Cady, the distinguished lawyer, and they became the counsel of the new manor proprietors on the Albany side of the river, and David Buel, of Troy, on the east side of the river. Jonathan Jenkins, of Rensselaerville, father of Charles M. Jenkins, acted as counsel for the "old Patroon," and later for the "young Patroon," in the country, while the Van Vechtens were acting as such in Albany.

After the decision in 1852, in the quarter-sale suit, it was David Buel, of Troy, one of the most able real estate lawyers in the State, who publicly declared that that decision put an end to the rent controversy, and he would never after that defend further any of the manor cases.

The lawyers that argued the quarter-sale case for the so-called tenants, were Henry Hogeboom, of Hudson, and Azor Taber, of Albany, a native of Knox. Josiah Sutherland, of New York, afterward a Supreme Court Judge, argued the case for the manor proprietors.

After the decision of this case, Andrew J. Colvin, of Albany, and Anson Bingham, of Nassau, Rensselaer County, were employed in a number of cases arising out of these claims for rents; Mr. Colvin taking the Albany County cases, and Mr. Bingham those of Rensselaer County. They took the position that, if the quarter sales were invalid, so were the rents in bushels of wheat, fat fowls, days' service, and such like, on the same grounds, viz.: that the manor proprietors had sold their lands, not leased them. This led to acquaintance between these gentlemen, and finally to a copartnership, with office in Albany. The first of their suits which went to the Court of Appeals were the Ball and Hayes cases, decided by that Court in 1859, Judge Denio writing the opinion. Associated as counsel with Colvin and Bingham, and present in

Court at the argument, were William M. Evarts, of New York, and Nicholas Hill and John H. Reynolds, of Albany; Mr. Bingham and Mr. Reynolds making the argument for the farmers, and Mr. Charles M. Jenkins, of Albany, of the firm of Jenkins & Cooper, for the rent claimants.

Some years afterward, Mr. Peter Cagger became the lawyer for the rent claimants; then Samuel Hand, with Mr. Cagger; then Hand & Hale and Schwartz; then Mr. Rufus W. Peckham; then Peckham & Rosendale; and finally Rosendale and Hessberg, who now act as attorneys for Walter S. Church.

### THE LEGAL POINTS.

The historical sketch of anti-rentism by Mr. Colvin, and the novel legal questions growing out of it, have induced me, at the suggestion of some legal friends, to look over the briefs or points of the counsel on the argument of the Ball and Hayes cases and the decision of the Court of Appeals in those cases, made in 1859. On examining these points on both sides, I found them elaborated by extensive arguments and citation of authorities. Deprived of the prolixity of legal technicality, the pith of the points appears to be as follows:

Mr. Jenkins, who made the argument for the manor proprietors, or those who purchased their interest, presented, in substance, the following propositions: 1. That, while by the Van Rensselaer indentures, the grantees or purchasers took an estate in fee or of inheritance in the land conveyed, yet taken and held under agreement expressed in the conveyances, to yield and pay rent, the fee was conditional and defeasible and not absolute. 2. That reversion, or the relation of landlord and tenant, was not necessary to sustain the actions, because of the contract by which the grantees or purchasers agreed, for themselves and their assigns, to pay the rents, whereby such rents became annexed to the land and passed with it as part of the tenure by which it was held. 3. But if these positions were untenable, then Mr. Jenkins submitted that the relation of landlord and tenant existed between the manor proprietors and their grantees, and between the assigns of each, because the King, as lord paramount, had here erected and granted to the original proprietor or patentee under the British Crown, a lordship and manor to all intents and purposes; and thereby licensed the Patroon to be chief lord of the fee or manor, with power to make tenants in fee or perpetuity, holding of him; and, therefore, the statute of *quia emptores* never applied to this, the manor of Rensselaerwyck.

The answer of the opposing counsel in substance was, that the manor of Rensselaerwyck was not and never had been a lordship in fee, and was not excepted from the operation of the statute of *quia emptores*; that Mr. Van Rensselaer was simply an individual and not a chief lord, and was, therefore, like other individuals, subject to the operations of the statute. That statute made it impossible for him on the sale of his lands, to make, or attach to the conveyances by agreement, conditions for the payment of rents of any description, and forfeiture of the lands for non-payment. It was out of his power on absolute sale to make a conditional or defeasible estate or fee for non-payment of rent, whatever the language of the conveyances. There was no escaping or avoiding the force of the statute by any contract contrived or entered into by the parties to overthrow its effect. Its essence was explicit and might be put in the following language: "Individuals may lease their lands for life or lives, or for years, and attach thereto covenants and conditions for payment of rent, but they shall not do it if they sell their lands." Covenants and conditions are allowable between landlord and tenant, but impossible between seller and purchaser of lands. So much, and just so much, was resolved and accomplished by the statute of *quia emptores*, in uprooting the feudal system; and Mr. Van Rensselaer having sold, and not leased, his lands, was prohibited from burdening them with conditions for rent payments.

In deciding these cases, the Court of Appeals, as expressed in the opinion of Judge Denio, held that this statute—the statute of *quia emptores*—was always the law of the colony and that it had always been the law of the State; and as Mr. Van Rensselaer had sold his lands, and not leased them, he brought himself within the principles of its provisions. His grantees became owners of the lands, and not tenants, and the relation of landlord and tenant never subsisted between him and them; and, therefore, it was impossible to put on the lands, when sold, conditions for the payment of rents. Any mind can see that such is the inevitable corollary from this decision.

It would seem to the common-sense mind that this announcement put an end judicially, not only to the Ball and Hayes cases, but to the anti-rent controversy as well. Not so, however. Judge Denio announced the judgment of the Court against Ball and Hayes upon the condition contained in the conveyances, as though it had been made between parties occupying the relation of landlord and tenant; and as though Ball and Hayes

were tenants and the manor proprietors and the purchasers of their interest were landlords; for he applied to the cases the remedies for the recovery of rent provided by the Revised Statutes by a landlord against his tenant, on a term for years.

The state of the controversy now seems to be this: No landlord and tenant in law, but landlord and tenant to collect rents.

### THE PATROONS.

I.—KILLIAN, son of Hendrick and Maria (Pafrats) Van Rensselaer, pearl and diamond merchant of Amsterdam, Holland, was a man of character and substance, of ancient family, descended in the thirteenth generation from Henry Wolters Van Rensselaer. He was a director in the Dutch West India Company, of the Amsterdam Chamber, established in 1621, and was one of the foremost in availing himself of the advantages of the "Charter of Privileges and Exemptions," passed by the States General in 1629, for the encouragement of Patroons to settle colonies in the New Netherlands. It does not appear that he ever saw the rich and extended territory, twenty-four miles up and down the Hudson and twenty-four miles on either side of that noble river, which came into his possession. But, by the aid of his co-directors and his agent, Wouter Van Twiller, and others, he gained lawful possession by extinguishing the Indian titles, securing patents and fulfilling, as nearly as could then be done, the conditions as to colonial settlements on his vast acres, within the limited time. His patents gave him feudal honors and powers. He freely assisted his immigrant farmers with stock, tools, clothing, provisions and even money, until they got a fair start. He leased his lands on certain stipulated conditions, which do not seem very hard, and we have no evidence that he was, in any way, disposed to be oppressive. His policy was not to sell his lands, but to allow them to pass, according to the laws of primogeniture of that day, to the eldest son or heir, with all their privileges and exemptions and increased values. At first he reserved all rights in trade, including the trade in furs with the Indians; but these were so modified about 1638, as to become open and free to all settlers. Many of them neglected farming and engaged in the more profitable fur trade. The Patroon also reserved all mines, which were never of value in this county; and all mill privileges, which he improved by erecting grain and lumber-mills, of great utility to himself and the settlers.

Killian married, first, Hillegonda Van Bylet, by whom he had one son, John or Johannes. For his second wife, he married Anna Van Wely, by whom he had eight children, viz.: 1, Maria; 2, Jeremias, who married Maria Van Cortlandt; 3, Hillegonda; 4, Jan or John Baptiste, who married Susan Van Wely; 5, Eleanora; 6, Susan, who married Jan de la Court; 7, Nicolaus or Nicholas, who married Alida Schuyler; 8, Ryckert or Richard, who married Anna Van Beaumont. Killian died in 1646, without sight of the promised land, and was succeeded by

II.—JOHN or JOHANNES, his eldest son, then a minor. We find some mention of him in certain official or business papers, but learn of nothing done by him, except that he married his cousin, Elizabeth Van Twiller, and had a son named Killian, who died early and without issue. He never came to Rensselaerwyck. The plucky Brant Van Schlechtenhorst had charge of his interests in the manor about six years, until 1652, when he was succeeded by Patroon John's brother, Jan Baptiste, as director.

In 1658, JEREMIAS succeeded his brother, Jan Baptiste, as director, and finally became proprietor. He held his position sixteen years, until his death, October 12, 1674. He is reported to have been a man of learning for his times, and much wisdom. He discharged his trust with great acceptance to all who were immediately interested. The contest for rights claimed by Governor Stuyvesant, the director of the West India Company, is discussed in the chapter entitled Rensselaerwyck and Beverwyck, pp. 49-67.

When, in almost the last extremity, under the Stuyvesant dynasty, a General Assembly of delegates from all the towns and colonies was called, to meet at New Amsterdam, in the City Hall, April 10, 1664, Rensselaerwyck was represented by Jeremias Van Rensselaer and Dirck Van Schelluyne, and Fort Orange by Jan Verbeeck and Gerrit Schlechtenhorst. Van Rensselaer was made president of this convention of twenty-two members. It adjourned without giving any support to Stuyvesant and the West India Company.

When Fort Orange surrendered to the English, on demand, September 24, 1664, and was named Fort Albany, Jeremias Van Rensselaer peaceably took the oath of allegiance to Charles II and James, Duke of York and Albany. No change was then made by the English proprietor James, as to the rights and privileges of the lord of the manor of Rensselaerwyck.

Jeremias, two years before this, July 12, 1662, had married Maria Van Cortlandt, who survived him fifteen years. She died January 29, 1689. They had two sons: Killian, born August 24, 1663, and Hendrick, born October 23, 1667. This family had its home in Greenbush. When Jeremias died, October 12, 1674, his eldest son was in his twelfth year, and as eldest surviving male descendant in the line of Patroons of his generation, was the heir apparent to the manor. Jan Baptiste, who returned to Holland and died in 1678, had released all his rights in the manor to this Killian. The heirs of the original co-directors of the first Patroon Killian, had sold their claims. Nicholas, the clergyman, who came over from Amsterdam in 1675, and Richard, who came soon after, succeeded their brothers, Jan Baptiste and Jeremias, as directors of the manor during the minority of their nephew, the heir to Rensselaerwyck. Madam Van Rensselaer acted as treasurer of this colonie, and her brother, Stephen Van Cortlandt, had charge of the books.

III.—KILLIAN, son of Jeremias, born August 24, 1663, was the first Patroon who resided in the manor. His house was probably situated near where the Patroons have ever since resided. He came to his trust in 1684, and held it during those troublous times, so far as we can learn, with much discretion and approbation. The patent was confirmed to him by the Duke of York, October 17, 1685, and reconfirmed by Queen Anne, May 20, 1704. Before this time, Jeremias had represented to the English government that the manor included Fort Orange and vicinity, territory which Stuyvesant had claimed as belonging to the Dutch West India Company, and had forcibly seized, set-off, and held by military possession. It was his request that the government look into the matter and restore to the Patroon his territorial rights. The decision of the English crown "upon a perusal of the Ranslaer's papers," was in favor of the claim of the Patroon, "that it did belong to them." The injustice and arrogance of Stuyvesant was discovered. Says Gov. Dongan, "The town of Albany lyes within the Ranslaer's colony." "They settled the place." Orders were issued to put the Patroon in possession of Albany, and conditions of rent were fixed "that every house should pay, some two beavers—some more, some less, according to their dimensions—per annum, for twenty years, and afterwards the Ransselaers to put what rent upon them they could agree for." These orders were placed in the hands of Gov. Andros, but not put in execution. When the honest Don-

gan became governor of the province the orders were brought to him. He frankly declined putting them in execution for this very sensible reason: "I thought it not convenient to execute, judging it not for his majesty's interest that the second town in the government, and which brings his majesty so great a revenue, should be in the hands of any particular men." But, wishing justice and peace, he adds: "By meanes of Mr. James Graham, Judge Palmer and Mr. Cortlandt, that have great influence on that people, I got the Ranslaers to release their pretense to the town and sixteen miles into the country for commons to the King, with the liberty to cut firewood within the colony for one and twenty years. After I had obtained this release of the Ranslaers I passed the patent for Albany." Albany received its charter July 22, 1686, and thus early was it done because of the magnanimous generosity of the Van Rensselaers and the sagacity of Gov. Thomas Dongan.

Killian II, probably, came in possession as sole proprietor and lord of the manor on attaining his majority in 1684. He conveyed to his brother Hendrick, June 1, 1704, a few days after his patent was fully confirmed by Queen Anne, all of Claverack or the lower manor, and 1,500 acres of the upper manor, including an island in the Hudson, and Greenbush running back one mile. He seems to have been a man of public trust and influence. In 1693 he was Captain of a troop of horse and Justice of the Peace. During the time of Leisler he was strenuously opposed to his government, and went as delegate to Connecticut to secure military aid in the troubles that threatened Albany. From 1691 to 1703 he represented Rensselaerwyck in the Provincial Assembly, and was a member of the Council from 1704 to 1719. The important office of Indian Commissioner was held by him from 1706 to 1720.

His will, made in 1718, was proved May 10, 1720, probably soon after the date of his decease, at the age of 57. He married Maria Van Cortlandt, October 15, 1701, by whom he had nine children, six of whom survived him. From him and his brother Hendrick, of Greenbush, who married Catharine Van Brugh, came all the blood of the Van Rensselaers in this country.

IV.—STEPHEN I, son of Killian and Maria (Van Cortlandt) Van Rensselaer, was born March 23, 1707. He became Patroon in 1728, eight years after the death of his father, and married Elizabeth Groesbeck, July 5, 1729. They had six children, besides others that died in early infancy. Among these were Elizabeth, born July 12, 1734, who became,

in 1753, the wife of that eminent man, Gen. Abraham Ten Broeck, and Stephen, who succeeded his father. Of Stephen I we find no record of public office, except that of Indian Commissioner in 1745. He was seemingly a modest, quiet man, faithfully devoted to the interests of his princely territory. He was buried at the Mills, July 1, 1747, at the age of 40. His wife, Elizabeth, was buried December 31, 1756.

V.—STEPHEN II, son of Stephen and Elizabeth, was born June 2, 1742, and came to his manorial trust in 1763. His health was feeble and his life was short. He died of pulmonary disease in 1769, at the age of 27. January 23, 1764, he married Catharine, daughter of Philip Livingston, the Albany signer of the Declaration of Independence. One daughter and two illustrious sons were the fruit of this marriage: Stephen, the sixth Patroon, and Philip Schuyler, born April 15, 1756. Philip S. held many important trusts, among which was that of Mayor of Albany for nineteen years, from 1799 to 1816, and 1819 to 1821. In 1765, that grand old structure, the present manor-house, so long the abode of plenty, refinement, intelligence and hospitality, was erected by Stephen II. It took the place of a building situated near by, which had, for many years, been the family home of the patroons, and was so arranged as to serve the Purpose of a fortress as well as of a dwelling. His widow, Catharine, married, in 1775, Rev. Dr. Eilardus Westerlo, for many years pastor of the First Dutch Reformed Church. He died in 1790.

VI.—STEPHEN III, son of Stephen and Catharine (Livingston) Van Rensselaer, was born November 1, 1764. At the age of five years he was an orphan. Gen. Ten Broeck, his uncle by marriage, was his guardian during his minority. During some of his early years he was under the supervision and direction of his talented and accomplished mother, whose influence did much to give bent to his life in those elements of religious faith and regard for holy things which always marked his character. His school-days were spent in the school of John Waters, near his home; afterward in Elizabethtown, N. J.; and then in Kingston Academy, where he made preparation for college. One year he spent at Princeton, and then entered Harvard College, where he graduated in 1782. In 1825, Yale conferred upon him the degree of LL.D. Before he was 20, he married Margaret, daughter of Gen. Philip Schuyler, who became the mother of three children, and died March 7, 1801. In May, 1802, he married Cornelia Patterson, of New Jersey, who died August 6, 1844, having

given him nine children, four only of whom survived him. His death occurred January 26, 1839, at the age of 75 years. His life was truly full of years and honors, distinguished by usefulness, good examples, public confidence, and the affection of all that best knew him. From his earliest manhood he was a devout and consistent Christian, in the communion of the church of his fatherland and of his fathers. He was a sublime moralist; a patron of learning; a friend of the poor; a kind neighbor; a public-spirited citizen, and an unflinching patriot. He was born under a king; by inheritance a feudal lord of vast wealth; a pronounced advocate of the federal constitution that succeeded the war of revolution, and a zealous politician of the Washington, Adams, Jay and Hamilton school; which, with all its mistakes, was the purest and most intelligent party that ever had a name in our political history.

His policy as a land-holder was to dispose of his large landed estate to actual tillers of the soil. He adopted the plan of offering what were called leases in fee, and at what was considered moderate rent. In this way he succeeded in bringing most of his lands, situated in Albany and Rensselaer Counties, into cultivation. These brought him a good income.

"He had none of that morbid appetite for wealth which grows ravenous by what it feeds on." Nor could he "bring himself to feel and indulge that passion for profit and gain which consumed those around him." Hence, he was a kind, indulgent man with the farmers, whom he regarded as his tenants. He had no schemes for making larger profits, none for mere speculation. He made no change of policy for such purpose. He was always giving to the poor; always forgiving their dues to the unfortunate; always helpful in providing good schools and promoting religious instruction among the manorial farmers. The people all loved him, and often called him "the good Patroon," or "the good old Patroon," as he came to venerable age.

But our space will allow us to name the honorable positions of trust which he held, and scarcely more—positions held to adorn by his character and benefit by his influence. In military life, for which he had no special fondness, he was made a Major in 1786, a Colonel in 1788, and Major-General of cavalry in 1801. As is well known, he reluctantly took command of the militia, as Major-General in the northern department, in the war of 1812, from motives of patriotism and public policy. He was appointed by Governor Tompkins, and did heroic

service at Queenstown and elsewhere. In political life, he was Member of the Assembly in 1789, 1808, 1810 and 1818; of the Senate, from 1791 to 1795; of the Constitutional Convention of 1801 and 1821. He was Lieutenant-Governor, 1796 to 1802; Member of the Council of Appointment in 1792; and of the United States House of Representatives from 1823 to 1829. In 1801, he was the candidate of the Federalists against George Clinton for Governor of the State, and in 1813, against D. D. Tompkins, with a very strong vote. In literature, he was trustee and benefactor of local schools and academies; President of the Albany Institute from 1824 to 1839; a Regent of the University from 1819; and Chancellor from 1835 until his death in 1839. He was on the Erie Canal Commission from 1810, and President of the Canal Board fifteen years. He was one of the founders of the New York State Agricultural Society, and its first President. In Masonry he became Master of the Grand Lodge of the State. In the early banking and railroad movements, and other matters of public improvement, he was among the foremost. The Rensselaer Polytechnic Institute, Troy, was founded by him; and he was a constant patron of literature and literary men.

When he died, none ever had a simpler funeral. It was his own request. His body was borne to the tomb of his fathers on men's shoulders. The family mourners and the citizens that knew him and loved him so well, followed from the North Dutch Church to his last resting place on foot. There was no parade, no ostentation of any kind. Albany never buried a man who was loved more sincerely or mourned more sorrowfully. In many ways he was a great man; in all ways he was, what is better, a good man.

His estate, under the United States Constitution and the laws of 1787, could not descend to the oldest son. The last Patroon died with him. His landed interests were divided between his sons Stephen and William Patterson, the Albany County lands going to the former; those of Rensselaer County to the latter.

VII.—STEPHEN IV, only son of Stephen and Margaret (Schuyler) Van Rensselaer, was born March 29, 1789. He had possession of the mansion, and was usually called, by courtesy or custom, "the young Patroon." He married Harriet E. Bayard, of New York, and had eight children, six of whom survived him. His death occurred May 25, 1868, in his eightieth year. He never sought official honors, but lived a quiet and unobtrusive life. He was interested in many charitable

objects, and a liberal giver. In the church of his fathers, of which he was a prominent member and officer, he was always valued. He was called General, a title which belonged to him as an officer of that rank in the State militia. The anti-rent controversy, described by Mr. Colvin, broke out and raged in his time.

WILLIAM PATTERSON, oldest son of Stephen and Cornelia (Patterson) Van Rensselaer, was born March 6, 1805, and occupied for a time, his lands in Rensselaer County. He built what is now called Forbes Manor for his residence; but never occupied it. He resided, for a while, in the building in Albany now converted into St. Peter's Hospital, and after his financial affairs became complicated, he made his residence in and near New York City, the rest of his life.

Thus closes our brief history of the Patroons—men who held that title for about 238 years, and whose relationship to the landed interests, to the business interests, and, indeed, to every interest in this county, was peculiar and lasting. Taking all in all, they and their descendants generally deserve to be spoken of with respectful consideration, some of them with distinguished gratitude and praise.

#### THE HENDRICK VAN RENSSELAER BRANCH.

Many of the descendants of Hendrick, the second son of Jeremias, and brother of Patroon Killian, deserve place in our history, as persons who have led lives of eminent usefulness and honor. We only wish we had space to render them the honor they deserve. Among them we may name, as especially eminent, Colonel Killian, son of Hendrick, who was once Chairman of the Committee of Safety. He had four distinguished sons, General Henry K., a brave revolutionary officer, who was crippled for life by wounds received in battle at Fort Ann, July 8, 1777; Col. Philip, who was for many years Commissary of Military Stores in the northern department, and who built the Cherry Hill Mansion, and died there in 1798; Colonel Nicholas, who was one of General Montgomery's aids at the storming of Quebec, December 31, 1775, and was afterwards aid to General Schuyler, and fought at Ticonderoga, Fort Miller, Fort Ann and Bemis Heights. He it was who bore the news of Burgoyne's defeat to Albany, October 17, 1777. Another son, Killian K., was an eminent lawyer in Albany, and represented the County in United States Congress, ten years, from 1801–1811. General Solomon, son of General Henry K., was one of the bravest of patri-

otic men, and an eminent civilian. He fought the Indians at Maumee with Wayne and Harrison in the Northwest, and was also at the battle of Queens-town as aid to General Stephen. In both battles he was seriously wounded. He was for sixteen years Adjutant-General of the State; four years in the United States Congress, and many years Postmaster of Albany. His brother, Killian H., was a Lieutenant in the United States Navy. Jeremiah, Hendrick and John B., represented Rensselaerwyck in the colonial assemblies, filling up the thirty-five years between 1726 and 1761. Another Jeremiah, son of John, was Lieutenant-Governor of the State from 1801 to 1810. John S. was a brave soldier in the war of 1812. Robert was a delegate to the Provincial Congress in 1775-77. Colonel James was one of Montgomery's aids at Quebec; and many others of this branch filled up the measure of good citizenship.

**FEMALES OF THE FAMILY.**—Three distinguished patriots of the revolution married Van Rensselaer daughters: General Philip Schuyler married Catharina, daughter of John; General Abraham Ten Broeck, Elizabeth, daughter of Stephen, the fourth Patroon; and General Leonard Gansevoort, Maria, daughter of Colonel Killian. Mrs. Catharine Visscher, youngest daughter of General Solomon, and widow of Rev. Samuel W. Bonney, author of

"Legacy of Historical Gleanings," and now President of Claremont College, Catawba County, N. C., deserves special mention here, as a lady of exalted worth and fine accomplishments. The female members of the Van Rensselaer family with very few exceptions, make a long list of excellent daughters, wives and mothers, ornaments to their name and their sex.

**REPRESENTATION.**—Rensselaerwyck had a representation in the colonial assemblies, separate from Albany, from April 9, 1691 to April 3, 1775, a period of eighty-four years. The representatives were: 1691 to 1704, Killian Van Rensselaer; 1701-2 and 1715-26, Andries Coeymans; 1703-4, Andries Douw; 1705-14, Hendrick Van Rensselaer; 1726-43, Jeremiah Van Rensselaer; 1743-61, John B. Van Rensselaer; 1761-75, Abraham Ten Broeck.

It is worthy of remark that all the members of this wealthy and aristocratic family were always found on the side of popular liberty. As citizens, they voted on that side; as civil officers, they contended for it even when in a minority and against the English crown; as soldiers, they bravely fought for it and generously spent of their wealth for it. And yet they must have known that a simple representative free government would, as it did, at once abridge and finally destroy their feudal descended rights and powers.

## LAND PATENTS, SETTLEMENTS, LEASES, TITLES AND BOUNDARIES.

**T**HE claims of the native proprietors to the soil were admitted by the Holland companies and the Patroon, and purchases of lands were made from the Indian owners "for certain quantities of duffels, axes, knives and wampum." In this manner purchases were made by the Van Rensselaer Patroons and others, who made original purchases of Indian tracts of lands. The general policy of these Patroons was to lease lands and transmit them to their heirs, not to sell them. This has been briefly spoken of in other parts of our volume.

Much could be said under our heading, but we propose to say but little—just enough to give a few facts and suggestions on a subject of great interest and extensive relations.

In 1678, Governor Andros thus writes of land grabbing: "New York is in 40° 35', Albany abt. 43°. The Colony is several long narrow stripes of

wh. a great part of the settlemt. made by adventurers before any Regulacon by wh. Incroachmts. without pattents, wh. towns have lately taken but by reason of continuall warrs noe Survey made & wilderness, no computacon can be made of the planted and implanted." True to his King, this Governor endeavored to place a check upon such proceedings. But with poor success.

The extravagant land grants made in this State, to private persons, by some of the English Governors were in such vast parcels that the government thereby lost much revenue, which caused much uneasiness and discontent. Individuals came into collision on account of the irregular manner in which the grants usually were located—without surveys or boundaries. The most reckless governors in these transactions were Governors Fletcher and Cornbury. Lands by 50,000, 100,000, and

even a million of acres were placed in the hands of unscrupulous speculators. Conflicting claims made great trouble; honest settlers were defrauded; and the settlement of good lands by worthy citizens greatly hindered. The King interfered; called home some governors in disgrace, and vacated some of the grants. No State in the Union has suffered so much by the extravagant and unguarded distribution of its domain as the State of New York. The hurtful consequences have always been felt as prejudicial to the public interests.

The recognized claim of the Patroons, dating so far back, and being so well established by the extinguishment of the Indian claims and the actual occupation of the land, prevented any trouble from such grants in Rensselaerwyck.

While the title of the lands in this county could not be disputed, having been duly purchased of the aboriginal owners by the Van Rensselaers and confirmed by the States General of Holland, the manner of dividing off the farms was not well considered. Land was plenty and the value small. Patents and farms were located by spotted trees, stones, streams, and other points subject to decay, removal or other change. One badly defined lot was bounded as lying next to another just as badly defined. Lots overlapped each other, and gores or other shapes were left between lots without a legal occupant. Lands were stepped off, or measured with a pole, a rope, or the "leading line" of a harness. Courses were run by unskilled surveyors, running northerly or north-by-west from any evanescent or uncertain point that first came to notice in the line. In after time came the difficulty of finding the old points and retracing the old lines. This has cost labor, expense and perplexity. Many questions pertaining to the farm lands in this county are yet unsettled, the farmers wisely concluding that it would cost more than it would come to to hire a surveyor; much more to go to court. So, by some neighborly compromise, the unsettled line of division has long remained unsettled; and we may hope that it long may, except it be peaceably.

Joel Munsell tells us that the boundaries and tracts were quite indefinite, and as they became cultivated, all traces of the described bounds utterly ceased to be distinguishable. For instance, a farm now in the heart of the City of Albany, leased by the Patroon to Isaac, son of Casper Halenbeck, is thus described in the lease: "Bounded on the north by the plain and hill; on the east by the swamp; on the south by the Bever Kil; on the west by the woods." Nothing now remains but

the Kil to mark the boundaries of this tract, and that is partially arched over and used as a sewer. The hill was long since leveled, the swamp filled in and built upon, the woods cleared up, and the area occupied by streets and a dense population.

The Duke of York, as proprietor and as King, as well as his successors, saw the good policy of treating the Hollander well, and readily confirmed the rights and patents that dated under the government of the States General or of the Dutch West India Company. All other lands were claimed as belonging to the English crown; and, after satisfying the Indian title as a matter of policy, all grants were finally subject to the approval of the King.

The acknowledgment of the just title of the Patroon of Rensselaerwyck to the territory that became the City of Albany in 1686, unfairly disputed by Governor Stuyvesant, reflects credit on the policy of the English government at that time, as discussed in another place.

The claim of England to the territory of New Netherlands, by right of prior discovery, has been referred to elsewhere, and needs no further discussion here. It was at a time when might made right. Indeed, when and where in the world's history has it not been so? But how little did King James realize the value of his province of New York! Nor was George III much wiser.

Writing concerning the state of lands in the Province of New York in 1732, Cadwallader Colden, Surveyor-General, says: "By the 3d article of Surrender agreed to with the Dutch Govt. it is stipulated (in 1664) that 'all people shall continue free denizens, and enjoy lands, houses, goods, ships, wheresoever they are within the country, and dispose of them as they please.' And by the 11th article, 'The Dutch here shall enjoy their own customs concerning inheritances.'"

In pursuance of this the inhabitants took out confirmations of their lands and tenements under the hand and seal of Colonel Nicolls, the first English Governor under the Duke of York, in which their title under the Dutch is recited. The form of these confirmations appear to be everywhere the same.

Governor Nicolls likewise, granted unimproved lands to any who were willing to settle and improve them; and these first grants were made without any previous survey or without reciting any certain boundaries, but only to contain, for example, 100, 200, or 300 acres adjoining such another man's land or a certain hill, or river, or rivulet.

Subsequent governors made land grants with surveys or without, as it pleased them. Some parted

with valuable lands and large tracts for a mere trifle to their favorites. Land was plenty. The few who had influence with the government, and desired increase of power and wealth, saw their opportunity in large territory which they might settle with dependents. The evil that came from such a policy has cursed this State even to our day; giving us confusion of titles and boundaries; vexatious and expensive lawsuits; many bitter contentions, that have grown so mighty as to move the whole body politic; and kept many hard-working tenants and their families in a condition but little better than abject servitude, with all its consequences in ignorance and lawlessness. Albany County is a witness of this condition of things. The article on Anti-rentism in this volume clearly exhibits the evils that have sprung from feudal tenures, rents conditioned upon leases in perpetuity, and exacted by the Patroons and their assignees. The conflicting opinions of learned legal authority are perplexing to the lay citizen. The financial ruin of many so-called tenants, and the physical, mental and moral degradation frequently consequent upon this condition of things, are too patent for denial, and excite commiseration. This state of things shows that a great wrong has been the natural outgrowth of the policy of such land grants made long ago, no doubt, at first, with a worthy purpose. Nor is there any doubt that the Patroons, or original landholders, regarded their manorial claims as beneficial to the State as well as advantageous to themselves. They designed to treat the farmers who occupied their lands with justice, and usually did treat them with a policy both benevolent and lenient. The evils that resulted were the fruits of the system. One of the worst ills that has resulted from the lease system in this county has been its effect upon the family of the lessee, which has occupied the same soil for many years without owning anything.

If men do not possess the right of soil, however cheap the lease rents, they never can be independent citizens. They are always under the influence of their landlords. Their minds are apt to become debased and their enterprise destroyed. When their vassalage becomes hopeless, they live as dumb, driven cattle.

The exact boundaries of our county, and of the towns of which it is constituted, are not accurately defined. Says Mr. J. T. Gardner, in State Survey Report for 1877 :

"Less than one hundred years ago, however, surveyors, carrying only the compass, chain, ax and rifle, contending with innumerable obstacles in

pathless forests, forced their way to the utmost limits of a wilderness stretching from the Hudson River to Lake Erie. They traversed every part, and roughly measured lines, dividing the lands into tracts of suitable size for coming settlers, and marking the lots by notching or 'blazing' surrounding trees.

"There has been no survey of the State since the pioneer surveyors ran their compass lines through the woods.

"The maps of New York are false to the extent of one, two, and even three miles in the positions ascribed to prominent points. \* \* \* It is well known that we are far behind the rest of the world in knowledge of our own territory."

What is true of the State is measurably true of the smaller divisions of the State, of which it is composed. There is something yet to be done by the surveyors and engineers of the future.

The sagacity of the Dutch settlers is shown in their selection of lands, and the tenacity with which they held possession of them. They rarely occupied the hills. Their native Holland was a flat country, abundant in water, lying by the sea, and traversed by rivers and canals. The early colonists of this county planted their homes, usually, upon level tracts, upon the rich alluvium of the Hudson River, or other streams that run into it. These they were apt to leave to their heirs. The later German took the best he could find in the valley of the Mohawk, or else looked for his home on some fertile spot but a little removed from some stream.

The following is a list of patents of lands located in or near Albany County by the Dutch Government from 1630 to 1634, so far as they now have been found recorded in the Book of Patents and Town Records. It will interest the many descendants of our original landholders:

Kiliaen Rensselaer: Indian land east of Hudson, Rensselaerwyck, August 6, 1631; Indian land west of Hudson, Rensselaerwyck, August 13, 1631; Indian land, Papskenea, Rensselaerwyck, April 13, 1637; Indian land, Katskill, April 19, 1649; Indian land, Claverack, May 14, 1649. Jan Michelsen: a lot, Beverwyck, May 23, 1650. Rutger Jacobsen: a lot, Beverwyck, April 23, 1652. Goosen G. Van Schaick: a lot, Beverwyck, April 23, 1652. Anthonie De Hooges, a lot, Beverwyck, April 23, 1652. Cornelis Teunissen: a lot, Beverwyck, April 23, 1652. Andries Herbertsen: a lot, Beverwyck, April 23, 1652. Dirck Jansen: a lot, Beverwyck, April 23, 1652. Arent Andriessen: a lot, Beverwyck, April 23, 1652. Volkert Jansen: a lot, Beverwyck, April 23, 1652. Albert Gerritsen: a lot, Beverwyck, April 23, 1652. Jacob Adrien-

sen: a lot, Beverwyck, April 23, 1652. Willem Teller: a lot, Beverwyck, April 23, 1652. Annetje Bogardus: a lot, Beverwyck, April 23, 1652. Teunis Jacobsen: a lot, Beverwyck, April 23, 1652. Rut Adriensen: a lot, Beverwyck, April 23, 1652. Jacob Janz Schermerhorn: a lot, Beverwyck, November 9, 1653. Jochem Backer: a lot, Beverwyck, April 23, 1653. Pieter Loockermans: a lot, Beverwyck, July 7, 1653. Hans Kierstede: a lot, Beverwyck, July 18, 1653. Ryer Elbertsen: a lot, Beverwyck, October 25, 1653. Laurens Lourenzen: a lot, Beverwyck, October 25, 1653. Jochem Kettelhuyn: a lot, Beverwyck, October 25, 1653. Evert Janz Van Embden: a lot, Beverwyck, October 25, 1653. Casper Jacobsen: a lot, Beverwyck, October 25, 1653. Michel Reyckersen: a lot, Beverwyck, October 25, 1653. Hendrick Andriessen: a lot, Beverwyck, October 25, 1653. Jan Verbeck: a lot, Beverwyck, October 25, 1653. Thomas Jansen: a lot, Beverwyck, October 25, 1653. Andries DeVos: a lot of woodland, Beverwyck, October 25, 1653. Thomas Sandersen: two lots, Beverwyck, October 25, 1653. Rut Adriensen: a lot, Beverwyck, October 25, 1653. And. Janz Appel Van Leyden: two lots, Beverwyck, October 25, 1653. Jacob Janz Schermerhorn: two lots, Beverwyck, October 25, 1653. Jan Labadie: a lot, Beverwyck, October 25, 1653. Laurens Jansen: a lot, Beverwyck, October 25, 1653. Captain Abram Staets, a lot, Beverwyck, October 25, 1653. Jacob Hendrick Sibbinck: a lot, Beverwyck, October 25, 1653. Jacob Symonz Klomp: a lot, Beverwyck, October 25, 1653. Hags Brunysen: a lot, Beverwyck, October 25, 1653. Jan Frs. Van Hoesen: a lot, Beverwyck, October 25, 1653. Gillis Pietersen: a lot, Beverwyck, October 25, 1653. Captain Abram Staets: Cicheckawick, north of Claverack, March 17, 1654. Leendert Phillipsen: a lot, Beverwyck, March 24, 1654. Hendrick Marcelis: a lot, Beverwyck, March 24, 1654. Gillis Pietersen: a lot, Beverwyck, April 14, 1654. Wynent Gerritsen: a lot, Beverwyck, August 29, 1654. Ad. J. Van Leyden Appel: a lot for an inn, Beverwyck, December 16, 1654. Ph. Pietersen Schuyler: two lots, Beverwyck, June 16, 1656. Adrien Janz Ilpendam: a lot, Beverwyck, October 28, 1656. Mattheus Abrams: a lot, Beverwyck, October 28, 1656. Claes Hendricksen: two lots, Beverwyck, September 25, 1657. Pieter Jacobsen: a lot, Beverwyck, February 23, 1658. Jeremias Van Rensselaer: a lot, Beverwyck, February 25, 1658. Sander Senderts Glen: a lot, Beverwyck, July 13, 1658. Ph. Pietersen Schuyler: a lot, Beverwyck,

September 10, 1658. Pieter Meersen: a lot, Beverwyck, October 31, 1658. Thomas Chambers: a lot, Beverwyck, November 8, 1653. Volckert Jansen, et al.: a plantation, Fort Orange, March 31, 1659. — Andriessen: a plantation, Fort Orange, March 19, 1659. Arent Van Curler: a plantation, Beverwyck, March 23, 1659. Pieter Hartgers: two lots, Beverwyck, September 1, 1659. Jan Daretha: a lot, Beverwyck, February 5, 1660. Peter Jacobsen: a lot, Beverwyck, February 23, 1660. Peter Mees: a lot, Beverwyck, August 17, 1660. Jan Costers Van Aecken: a lot, Beverwyck, March 7, 1661. Jan Tomassen: two lots, Beverwyck, March 10, 1661. Rutger Jacobsen, et al.: Pachnach Killick Island, near Beverwyck, March 10, 1661. Rutger Jacobsen: Constable's Island, Beverwyck, March 19, 1661. Arent Van Curler, et al.: Indian land, Schonowe, July 27, 1661. Schenectady, Great Flatt confirmed April 6, 1662. Jan Jansen Van Hoesen: Indian land, Claverack, June 5, 1662. J. B. Wemp, et al.: Martin's Island, Schenectady, November 12, 1662. Peter Bronck: a lot, Beverwyck, 1663. Symon Symonz Groot: a lot, Beverwyck, May 11, 1663. Casper Jacobsen: a lot, Beverwyck, December 29, 1663. Jan Tomassen: a lot, Beverwyck, March 10, 1664. Cornelis Van Nes: twenty-one morgen, Schenectady, June 1, 1664. Teunis Cornelissen: twenty-four morgen, Schenectady, June 16, 1664. Symon De Bakker: twenty-four morgen, Schenectady, June 19, 1664. Pieter Adriensen: twenty-six morgen, Schenectady, June 16, 1664. Willem Teller: twenty-three morgen, Schenectady, June 16, 1664. Ph. Pietersen Schuyler: Indian tract, Half-Moon, July 10, 1664.

All lands within this State are allodial, so that, subject to their liability to escheat, the owners have entire and absolute property in them, according to the nature of their respective estates. No leases can now be made of agricultural lands for a time longer than twelve years, and all quarter sales or other restraints upon alienation, reserved in any grant hereafter made, are void in law.

Albany County never had any State lands except those occupied by State buildings. It has no United States land except that occupied by the Watervliet Arsenal and the Government building in Albany. It has had no Gospel or school lands, no literature lands, no military land grants, nor were any patents covering its territory or any part of it, ever granted originally by the English government. Some of its citizens, as the Livingstons, the Schuylers, and the Van Rensselaers, had large patents located in other parts of the State.

## THE BEAVER AND THE FUR TRADE.

THE earliest industry in the territory now called Albany County was the beaver trade. Nothing else brought the first Dutch adventurers to New Netherlands, as nothing but the love of gold led the earliest adventurers from our Eastern States to the mines of California. Had it not been for the beaver, we cannot tell how much longer the settlement of our county would have been deferred. A brief account of this fur-bearing rodent, and of the important relation he sustained to our early history, seems due to him. Without it our work would be incomplete.

How much he was esteemed is shown in part by the local preservation of his honored name in Beverwyck, Beaverkill, Beaver street, Beaver block and the like.

We begin with a description in popular language of the beaver himself, that we may better understand his character and habits.

The beaver is one of the most extraordinary of all animals. It is between three and four feet in length, and weighs from forty to sixty pounds. Its teeth, which are long, broad and sharp, project considerably beyond the jaw, and are curved like a carpenter's gouge. In its fore-feet the toes are separated, as if designed to answer the purposes of fingers and hands. Its hind-feet are accommodated with webs, suited to the purpose of swimming. In no animal does the social instinct and habit appear stronger or more general than in the beaver. Wherever a number of these animals are found, they immediately form an association to carry on their common business. Their societies are generally formed in June and July, and frequently number two or three hundred, all united in promoting the interests of the whole community.

The society of beavers seems to be regulated altogether by natural dispositions and laws. It is one of peace and affection, guided by one principle. No contention or disagreement is ever seen among them; but harmony and unity prevail throughout their dominion. The principle of this union is not the superiority of any individual; there seems to be among them nothing of the authority or influence of a leader or chief. Their association has the aspect of a pure democracy, founded on the principle

of perfect equality and the strongest mutual attachment.

When these animals are collected together, they give attention, first, to their public affairs. Being amphibious, they spend part of their time in the water. Their first work is to find a situation convenient for both their land and water purposes. A lake or a running stream of water is chosen for their habitation, selected always of such depth that they may have sufficient room for swimming under the ice. They seem to have an eye to undisturbed possession. Such is their foresight or instinct, that they are said never to form an erroneous judgment. Having selected their site thus carefully, they next construct a dam; and so well chosen are both the place and form of this, their home, that no engineer could give them a better, either for convenience, strength or duration.

The materials used are wood and earth. If there be a tree on the side of the river which would naturally fall across the stream, several beavers go to work with their teeth, with great diligence, to fell it. Trees twenty inches in diameter are thus thrown across a stream as the formation of their dam. Others are cutting down smaller trees, which they divide into convenient lengths. Others serve as porters, conveying the trees to the needed places; and others, still, engage in the masonry of the work. The earth is brought in their mouths, formed into a kind of mortar with their feet and tails, and spread over the interstices between the stakes in such a way as to render the whole impervious to water. The magnitude and extent of these dams is marvelous when we consider the artisans and their instruments. They are from fifty to one hundred feet in length, and from six to twelve feet thick at the base, forming ponds, frequently of 500 or 600 acres.

When the public works are completed, their domestic concerns next engage their attention. The beavers separate to build houses, each division for itself, along the borders of the pond. These houses are of an oval form, resembling a haystack in appearance, and varying from four to ten feet in diameter, according to the number of families they are designed to accommodate. In these huts the families of beavers live, enjoying the fruits of their

labors. But if any injury is done to their public works, the whole society unites to repair it.

Nothing can exceed the peace and regularity which prevail through the whole commonwealth. No discord ever appears in any of their families; every beaver knows his own apartment and store-house, and there is no pilfering or robbing from one another.

The color of the beaver varies with the climate, being nearly black in the colder regions, and growing brown in the warmer. Its fur is of two sorts, one being long, coarse and of little use; the other consisting of a fine, thick down, about three-quarters of an inch long, which has the commercial value.

The beaver attains its greatest magnitude and its highest perfection of society only where it is undisturbed by man. Hence it makes its home only in uncultivated regions, retreating as man approaches.

Some idea of the trade in beaver, in those primitive times, may be gathered from the facts which follow.

The ship *Nieu Nederlandt* took 1,500 beaver and 500 otter skins from Fort Orange at the close of the first season.

The number of beavers reported from New Netherlands in 1624, as Hazard tells us, were 4,000; also 700 otters—all valued at 27,125 guilders. About 10 years later the returns were 14,891 beavers and 1,413 otters, estimated at 134,000 guilders.

The ship *Arms* of Amsterdam sailed from New Amsterdam September 23, 1626, and arrived in Amsterdam, November 4th, following, with a cargo of 7,246 beaver skins, 853½ otter skins, 48 mink skins, 36 wild cat skins, 33 mink and 34 rat skins, besides some wheat, rye, barley, oats, buckwheat, canary seed, beans and flax, and considerable oak and hickory.

In 1632, the Dutch Colonists were reported to have sent over to Holland "15,000 beaver skynnes, besides other commodities."

About 1633, it was estimated that about 16,000 beaver skins were sold in the Hudson river trade, mostly at Fort Orange.

The value of furs exported in 1626 was reckoned at about \$19,000; in 1632 it had been raised to \$50,000.

In 1638, the States General observe that nothing comes from New Netherlands but beaver skins, minks and other furs. About this time the fur trade was made free. Every boor became a fur trader.

The trade in furs at Albany was very flourishing in the years from 1645 to 1660.

In 1645, an arrival of tobacco and beavers is reported in Amsterdam—the latter invoiced as "10 cases containing 2,137 pieces of beavers," which, valued at 7 guilders, amount to 14,959 florins.

The number of furs exported from Fort Orange and vicinity in 1656, amounted to 34,480 beaver and 300 otter skins. In 1658 the number reached 57,640 beaver and 300 otter skins.

In 1657, according to the record of Johannes Dyckman, 40,940 beaver and otter skins were shipped to New Amsterdam from Fort Orange, now Albany.

Here we take note of the commercial value of beaver.

When specie was scarce and paper money had not come into use, beaver skins and wampum, or seawant, were used among the people as currency.

In 1656 a beaver skin was worth 8 to 10 guilders, or \$3.50 to \$4. The former was the usual price, the real value of which would be \$3.20 in our currency. One guilder equals 40 cents.

In 1676 "good merchantable beavers" were valued at 12 shillings a piece or 9 shillings a pound. A negro boy, nine years old, hale and sound, was valued at the sum of twenty-eight merchantable beavers in this same year.

Wheat and other goods were often sold at "beaver price." In 1678 five schepels, equal to about three pecks, of wheat were valued at one beaver.

In April, 1680, the Labadists, Dankers and Sluyter paid each one beaver price, 25 guilders in seawant, for their boat passage from New York to Albany. A guilder seawant was worth about one-third as much as a guilder beaver.

In 1705 thirty beavers were valued at £18.

During these years the *boschloopers* or bush-runners, who made it their business to meet the Indians on their trails to Albany and go to their villages with the purpose of intercepting their trade, caused much excitement. In 1655, orders forbidding this kind of traffic were made by the Court. These ancient drummers were not allowed to drive trade in this way; nor were the merchants allowed to allure the Indians having peltry to sell, to their own houses. After this the magistrates rescinded the order. Governor Stuyvesant was next called in by the savages themselves to interfere; and in 1660, at a meeting with the Indians, he assured them of his displeasure at the conduct of these in-

terlopers, who interfered with their right to trade with whom they chose, and promised his protection if they used even blows to keep off these officious middlemen or any other mercenary intermeddlers, who shut them into their houses to compel their trade while in Beverwyck.

The fur trade was so profitable at Fort Orange, that fur traders from New Amsterdam, and others who had no residence near this fort, engaged successfully in competition with the Patroon and his officers and merchants, by intercepting the Indian hunters and by advancing the price, much to the detriment of the Beverwyck traders. This led to a great deal of trouble. The fort erected on Bearen Island and the controversy that followed, as stated in another part of this work, were the outgrowth of this foreign intermeddling in what the Patroon, for a time, regarded as his exclusive right.

There can be no question that this trade did much to demoralize the inhabitants of Rensselaerwyck. Agriculture for a long time was neglected, and every other pursuit, except hunting and trading in furs. Every farmer left tilling his land and became a fur trader as soon as the restrictions were taken off and the trade was free to every one. Legitimate methods of securing the wealth that this business promised, were violated. Not only were the Indian trails filled with drummers, and all the arts of flattery and special attention bestowed upon the fur-bearing traveler from the woods as he came to the village of Beverwyck, but he was bribed by trifling gifts and made drunk with fire-water. Strifes arose among the people, and quarrels among the savages. Cheating became common. The Dutchman's hand balancing a pound of beaver in the scale, and his foot two pounds, as stated by the veritable Knickerbocker in his "History of New York," if not strictly true, as it may have been, illustrates one of the methods of cheating the Indian.

The trade in fur began seriously to diminish about 1660. The beavers had either been trapped and skinned, or had retreated to regions north and west, farther away from the white man. The resources of the Indians in the neighborhood of Beverwyck had become nearly exhausted. Scarcity of furs on their tramping ground was felt by them and the traders. They had sold some of their land, and what remained possessed no value to them. They parted with it for trifles to the settlers, who now began to give more attention to cultivating the soil as their best resource for a livelihood. About this time (1661) several important families,

including Commissary Arent Van Curler, the Indians' friend, purchased the "Great Flatts," where now is Schenectady, and began a settlement. This diverted much trade from Beverwyck, which led to rivalry and much bitter feeling between the two neighboring villages.

Dankers and Sluyter, in 1680, made the following entry in their journal, speaking of Fort Orange:

"As this is the principal trading fort with the Indians, and as the privilege of trading is granted to certain merchants, there are houses or lodges erected on both sides of the town, where the Indians who come from the far interior to trade, live during the time they are there. This time of trading with the Indians is at its height in the month of June and July, and also in August, when it falls off, because it is then the best time for them to make their journey there and back."

In 1687, Governor Dongan speaks of the intermeddling of the Governor of Canada with the fur trade. Sixty young men of Albany and some Albany Indians had undertaken a trading expedition to the distant tribes, and on their return were intercepted and taken prisoners, with their goods, by the French and Canada Indians. He complains that the revenue of the province was very much reduced by the course taken by Canada in persuading the Indians to take their furs to Montreal, or by depredations like the above. He adds, "in other years we used to ship off for England 35,000 or 40,000 beavers, besides peltry, and this year only 9,000 and some hundreds peltry in all."

In 1699, the Indians in council at Albany, complained of the diminishing value of the beaver trade, alleging that the earlier traders lived in small huts, but now are grown rich and high, and wear fine clothes and dwell in great houses, and all this from profits on the beavers, which they brought from afar on their backs. And now they paid little for beaver and put a large price on their goods.

In 1700, the vigilant and judicious Governor Bellomont writes to the Lords of the Admiralty: "The beaver trade here and at Boston is sunk to little or nothing, and the market is so low for beaver in England that 'tis scarce worth the transporting. I have been told that in one year, when this province was in possession of the Dutch, there were 66,000 beaver skins exported from this town (New York), and this last year there was but 15,241 beaver skins exported hence, from 24th of June, '99, to 24th of June, 1700. \* \* \* A few years ago beaver skins sold in London at 14 shillings a pound, and then the custom was but 4d. the

skin. Now beaver has fallen to 5 shillings per pound in England and pays 9d. per skin here, 3d. per skin freight, and 12d. when it is unshipped in England." The Governor then urges the bad effects of such a state of things on population and trade, and advises free trade in peltry. He also claims that it is wise to keep the Indians in favor with the King, by a policy that will encourage him in his favorite pursuit of hunting and selling beaver.

On the 19th of July, 1701, the Sachems of the Five Nations deeded all their beaver hunting lands in the Province of New York and vicinity to King William III of England and his successors. The quit claim deed was made at Albany, signed and sealed by Governor John Nanfan and the Sachems of the Senecas, Mohawks, Cayugas, Onondagas and Oneidas, and comprehended a territory claimed as extending 800 by 400 miles. John J. Bleeker, Mayor, and the Aldermen and other city officers were present as witnesses. The only consideration seems to have been protection of their persons and possessions against the French. The only reservations made were peaceable homes and free hunting to themselves and their descendants.

It having been found that the French, through their missionaries, were rapidly gaining upon the English in the matter of profitable trade, Governor Bellomont, in January, 1701, proposes to the Lords of Trade some course by which this trade could be diverted from the French and turned from Mississippi, Canada and Nova Scotia to the English colonies. He writes thus from New York: "In order to this design the beaver trade ought to be encouraged by Parliament—all duties wholly taken off, both here and in England, from beaver and other peltry exported from this Province. \* \* \* \* The French King, to encourage the beaver trade, has ordered the Parliament of Paris to put forth and requiring all the hatters to mix a certain quantity of beaver's furr in all their hats, under a severe penalty, which is a wise course, and I wish our Parliament would take such a course to help the consumption of beaver, which at present is grown almost out of use in England since Carolina hatts have been so much and fur hatts so little in fashion." The following table gives the value of furs imported from the Province of New York for the years from 1717 to 1723:

	£	s.	d.		£	s.	d.
1717-18.....	10,704	3	11	1720-21.....	6,659	4	11
1718-19.....	7,138	2	5	1721-22.....	7,045	3	10
1719-20.....	7,487	16	5	1722-23.....	8,333	5	4

In 1721, the Worshipful Mayor, Aldermen and Commonalty of the City of Albany adopted most

stringent rules, designed to put an end to long-existing abuses in the Indian trade. They forbade, under penalties of £5 and upwards: 1. Receiving or concealing in their houses or elsewhere any packs of furs belonging to any Indian. 2. Lodging and entertaining any Indian or squaw, except Sachems, in their houses or other buildings. 3. Conveying any Indian, his wives or children in any wagon or cart from the westward towards Albany, or any of his goods, without payment. 4. Carrying Indians or their goods, in like manner, for any other person for a price or a gift. 5. Speaking to any Indian outside the stockades and coming from the West, or enticing them to trade. 6. Employment of brokers.

The whole purpose of the ordinance was to leave the matter of trade with the Indians themselves, they going to any person whom they chose without influence or hindrance.

At other times orders were passed restricting the sale of firearms and intoxicating drinks to the savages.

The importance of the trade, the character of the traders, and the evils that existed are made evident by these ordinances.

The struggle between the English in New York and the French in Canada for the control of the beaver trade was very great, especially during the first fifty years of the eighteenth century. This was carried on by regulating the prices paid the Indian hunters, who carried their goods where they could secure the best returns. The prices paid depended, of course, very much upon what the colonial traders could realize in the European market. It appears that the beaver had taken himself from the beaver dams of New York to more secluded places in Canada and the North, because he was more remote from danger. But the hunter found him in his northern resort and took the precious fur beaver in great numbers. Canada had the advantage of a near market; but the English took good advice, and, with Anglo-Saxon good sense, offered the fur merchants free trade and a better price, and made it up by increased manufactures, and sales at advanced rates. The Indians were better paid by the English colonial trader and carried their furs to the better paying market. So it appears from the correspondence of the colonial traders and Governors in the Colonies both of Canada and New York, during the years from about 1720 to 1750. The English thus secured the most of the Five Nations as their friends—a great loss to the French. And yet, by priestly art and smuggling, the Canadians

had, much of the time, a good trade. In the two years 1746 and 1747, the French Company of the Indies realized a profit of 430,785 livres from the beaver trade alone.

Peter Kalm, the intelligent Swedish naturalist, who visited Albany in 1749, throws light upon the fur traffic as it appeared to him at that time. He writes: "Albany carries on considerable commerce with New York, chiefly in furs, etc. \* \* \* There is not a place in all the British Colonies, the Hudson Bay Settlements excepted, where such quantities of furs and skins are bought of the Indians as at Albany. Most of the merchants in this town send a clerk or agent to Oswego, an Indian trading town upon the Lake Ontario, to which the Indians resort with their furs. \* \* \* The merchants from Albany spend the whole summer at Oswego, and trade with many tribes of Indians who come to them with their goods. Many people have assured me that the Indians are frequently cheated in disposing of their goods, especially when they are in liquor, and that sometimes they do not get one-half or even one-tenth of the value of their goods. I have been a witness to several transactions of this kind. The merchants of Albany glory in these tricks, and are highly pleased when they give a poor Indian a greater portion of brandy than he can bear, and when they can, after that, get all his goods for mere trifles. The Indians often find, when they are sober again, that they have been cheated. They grumble somewhat, but are soon satisfied when they reflect that they have, for once, drunk as much as they are able of a liquor which they value beyond anything else in the whole

world, and they are quite insensible to their loss if they again get a draught of this nectar. Besides this trade at Oswego, a number of Indians come to Albany from several parts, especially from Canada; but from this latter place they hardly bring anything but beaver skins. There is a great penalty in Canada for carrying furs to the English, that trade belonging to the French West India Company; notwithstanding which the French merchants in Canada carry on a considerable smuggling trade. They send their furs by means of the Indians to their correspondents in Albany, who purchase it at the price they have fixed upon with the French merchants. The Indians take in return several kinds of cloth and other goods, which may be got here at a lower rate than those which are sent to Canada from France."

Smith, the historian, in 1757, speaks of the fur trade as "very much impaired by French wiles and encroachments."

Coneiogatchie, one of the Chiefs of the Iroquois, in a speech made in council in 1782, said: "Your traders exact more than ever for their goods and our hunting is lessened by the war, so that we have fewer skins to give for them. This ruins us. We are poor."

Elkanah Watson, in 1788, speaks of the trade in furs at Albany as extinct. The British Hudson Bay Company was then carrying on the trade.

The *Albany Gazette*, in 1796, speaks hopefully of a revival of the fur trade in the city, nine wagon loads of furs and peltries having been received by one of the merchants from the Northwest territory. But it was only a temporary matter. The old-time fur trade was no more.

## SLAVERY IN ALBANY COUNTY.

SLAVERY was introduced at an early day into the American colonies. The first introduction of African slaves was in 1619, by a Dutch vessel sailing up the James River in Virginia, and selling twenty negroes from Africa to the planters. The trade in negro slaves did not increase very rapidly until after 1700. In 1714 the whole number of slaves in the colonies was 55,850; of this number about 30,000 had been imported. In 1808, the total number imported was not less than 400,000.

The United States Constitutional Convention of 1774 resolved to discontinue the slave trade. In 1789, the Convention to frame the Federal Constitution looked to the abolition of the traffic in 1808.

On March 3, 1807, Congress passed an act against the importation of African slaves into the United States after January 1, 1808.

In violation of these laws, the trade continued to an alarming degree for many years; and as late as 1855, New York city was largely engaged in the nefarious business. An article in De Bow's Review in 1855, quotes Captain Smith, who says: "New York is the chief port in the world for the slave trade, and is head-quarters for fitting out vessels for all the slave ports."

As early as 1628, frequent mention is made of blacks owned as slaves in the colony of New Netherlands. The West India Company in 1629,

granted to "all persons who will plant colonies in New Netherlands, to supply them with as many blacks as they conveniently can, on condition and in such manner that they shall not be bound to act for a longer time than they shall think proper." It appears that parties who leased land from the Company also leased servants or slaves from individuals for a term of years. The Company itself was not above this business, since we learn that in 1644, Nicholas Toorn, of Rensselaerwyck, acknowledges the receipt of a young black girl to be returned at the end of four years, "if yet alive," to the Director-General or his successor. In 1650, the West India Company sold at Albany "a farmhouse, hay-loft, two mares and a horse, and a negro, all now in use by Thomas Hall."

In 1650, the States General of Holland submitted a plan to the deputies of the West India Company that the inhabitants of New Netherlands shall be at liberty to purchase negroes wheresoever they may think necessary, except on the coast of Guinea, and bring them to work on the bouweries on payment of a duty. They also gave permission to import as many negroes as were required for the cultivation of the soil under certain conditions and regulations.

In these early days of slavery the price varied, \$100 to \$200 being the value. Rev. Johannes Polhemus, a colonial minister, paid, in 1664, \$175 for a slave. Rensselaer Nicol gave permission to Jan De Decker, October 8, 1664, to sail from Albany with eight negroes for the French plantations of Martinico and Guadaloupe. Slaves could be emancipated after eighteen or nineteen years of service to the Company. At a court of Mayor and Aldermen for the city of Albany, Myndert Frederickse's negro, Hercules, was found guilty of stealing a chest of wampum from his master, and the court sentenced him "to be whipped throu ye towne att ye cart tale by ye hands of ye hangman forthwith, for an example to oys, and his masters to pay ye costs." He confessed the theft, and said he entered by an open window. This appears in City Records, 1686. In the Records of 1679 it is resolved, "That all Indians within the colony were free, nor could they be forced to be servants or slaves."

The Colonial General Assembly in 1683 enacted laws defining the privileges of slaves; also empowering officers to follow and arrest runaway slaves. They could not give, sell, or trust any commodity whatsoever, under penalty of corporal punishment; neither was any person allowed to buy of a slave or trade with one. The old colonial statutes are

filled with laws relating to negroes and slaves. We quote the substance of some of them. In 1704, liquors were not to be sold to negroes or Indians on the Sabbath, and tavern keepers were forbidden to entertain or harbor them in their houses. In 1705, an act was passed to prevent negro slaves from running away from Albany to the French in Canada. Other acts, passed at sundry times, forbade all trading with those who were in bondage; allowed owners to punish with discretion; no more than three slaves to meet together under penalty of whipping; provided that a slave who struck a man or woman professing Christianity must be imprisoned fourteen days; the testimony of negroes good only in plotting among themselves; forbade slaves to be further away from Albany than Saratoga under penalty of death, except with master or mistress; encouraged the baptizing of negroes, Indians, and mulattoes. The law of 1730 provided that no person shall traffic with a slave; that no one shall sell to a slave rum or other strong drink under a penalty of forty shillings; that each town or manor have a whipper of slaves, to be paid not exceeding three shillings a head; that any one harboring a slave shall forfeit to the master £5 for every twenty-four hours, but not to exceed the value of the slave; that the owners of slaves are liable for thefts; and that no slave shall carry fire-arms. In 1775, a law was enacted that slaves must do military duty in cases of imminent danger, and that one or more slaves above the age of fourteen, in time of invasion, found a mile or more from the habitation of his master, without his consent or a written pass, was adjudged a felon, and it was lawful for the person so finding any slave to shoot him.

The early laws of the State relative to slaves, referred to their services in the American army. The act of 1788 revised many of the existing laws, and, in 1793, a law existed binding all owners of slaves to have them housed at an early hour. In 1798, the corporations of Albany and New York frequently granted warrantee deeds of slaves.

The price of slaves was as changeable as other commodities. In 1710, Melgert Vanderpool sold a negro for £65, and a negress for £35. In 1790, Captain Bloodgood, of the sloop Olive Branch, carried a slave from Albany, the property of Mrs. Staats, to Antigua, and sold him for £51.

In 1761 a law was passed which laid a fine of £10 on every master who allowed a slave to beg.

In 1710, Harmanus Fisher, of Albany, states that his negro, Yorke, had been found guilty of burglary and sentenced to be whipped round the

city, to receive nine lashes on his bare back at every corner. The sentence was not executed, but the sheriff dunned Fisher for £13 7s., the amount allowed by law for the service.

In November, 1793, several attempts were made to fire the city of Albany by slaves. Some were arrested and confessed their guilt. In January, 1794, Pomp, the property of Matthias Visscher, bought of Jacob Roseboom, Jr., in 1788, for £90, a negro slave, was charged with having set fire to the stables of Leonard Gansevoort. He was tried and found guilty. Bett and Deane, two female slaves, were also tried as accomplices and convicted of the same offense. All were sentenced to be hanged. On January 24th the sentence was respited for six weeks. The two girls were hanged on the 14th March, and Pomp on April 11th. The gallows was erected on Tyburne Hill, in the rear of the house of the late Rufus H. King, near the lower part of Fayette street. The concourse of people to witness the executions was immense.

A custom prevailed in slavery days of advertising them when for sale, and the newspapers generally had one or more of these "Negro for Sale" advertisements in them. We give a few samples: In 1784, the executors of Mrs. Schuyler offered for sale at auction, at Lewis' Tavern "A likely negro." In 1796, we find: "*To be sold.*—A healthy, active negro wench in her nineteenth year. Can be recommended for honesty and sobriety, and sold for no fault." "A negro wench about thirty years old, strong and healthy, for sale." "*For sale.*—A healthy negro wench about thirty years old; can be recommended for honesty and good conduct. Also, her two male children, both in good health. One, nearly three years old, until he arrives at the age of twenty-five years. The other, about four weeks, will be sold for life."

The abolition of slavery in the State of New York was agitated at the formation of the first constitution in 1777. When John Jay urged the early abolition of slavery he declared, "Till America comes to this measure, her prayers to heaven will be impious." Other early statesmen and philanthropists advocated this great doctrine of law and liberty, and claimed freedom and protection as the inherent right of all men.

The agitation was continued in this and other States. The first to abolish slavery were Pennsylvania and Massachusetts in 1780; New Jersey, provisionally, in 1784—all children born of a slave woman after 1804 to be free in 1820. In 1784 and 1797, Connecticut provided for gradual extinction. In Rhode Island after 1784, no person

could be born a slave. The ordinance of 1787 forbade slavery in the territory northwest of the Ohio. New York provisionally abolished slavery in 1799; twenty-eight years' ownership being allowed to those born in slavery after this date. This was the commencement of successive legislative acts and amendments for the years including 1801-04-07-09-10. In 1813, laws were enacted relative to vagabond slaves, and to prevent kidnapping, with severe penalties. In 1817, a new law was passed with more severe penalties, and a more important amendment—no less than a final decree of abolition of slavery in the State of New York—was added as follows: "And be it further enacted that every negro, mulatto or mustee within the State, born before July 4, 1799, shall from and after the 4th day of July, 1827, be free." This law was passed by twenty affirmative votes, out of a total of thirty-two in the Senate; and by seventy-five, out of a total of 128, in the Assembly. It was signed by Governor De Witt Clinton.

The enactment of 1819 made it a misdemeanor to send away from the State any slave or servant except such as might have been pardoned by the Executive for some offense; and owners of slaves who resided for a time in other States were forbidden to sell to parties not resident within the State. This was the last enactment, and the institution ceased to exist in the Empire State, July 4, 1827.

For the most part the slaves of the Dutch were employed as domestic servants, and their condition was not as hard as that of those who performed outdoor work. The treatment of the negroes was generally humane. Stories of cruelty among Albany County slaves were seldom heard. Laws, it is true, were passed for their punishment as well as for their protection. Among slave-owners, in many instances, an attachment was formed that lasted through life. The slaves were usually faithful and true to their masters and mistresses, and aside from their being bond slaves and chattels, their lot was comparatively happy. The blacks who were farmers or mechanics were allowed their own domestic animals.

Negro slavery existed in its mildest form in Albany County, not only in the Dutch, but in the English colonial days, and in its latter years, after the Revolution. Individual exceptions to this statement were very rare. It was so among the farmers and mechanics of Rensselaerwyck, as well as among the merchants and gentry in and near the City of Albany. The testimony of the excellent Mrs. Grant, in her "Memoirs of an American

Lady," is appropriate here. She writes: "In the society I am describing, even the dark aspect of slavery was softened into a smile. And I must, in justice to the best possible masters, say that a great deal of that tranquillity and comfort, to call it by no higher name, which distinguished this society from all others, was owing to the relation between master and servant being better understood here than in any other place. Let me not be detested as an advocate for slavery, when I say that I think I have never seen people so happy in servitude as the domestics of the Albanians. One reason was that each family had few of them, and that there were no field negroes. They would remind one of Abraham's servants, who were all born in the house, which was exactly their case. They were baptized too, and shared the same religious instruction with the children of the family, and for the first years there was little or no difference with regard to food or clothing between their children and those of their masters. I have nowhere met with instances of friendship more tender and generous than that which here subsisted between the slaves and their masters and mistresses."

Affectionate and faithful as these home-bred servants were in general, there were some instances, but very few, of those who, through levity of mind, or a love of liquor or finery, betrayed their trust or habitually neglected their duty. In these cases, after every means had been used to reform them, no severe punishments were inflicted at home. But the terrible sentence, which they dreaded worse than death, was passed;—they were sold to Jamaica.

One must have lived among those placid and humane people to be sensible that servitude—hopeless, endless servitude—could exist with so little servility and fear on the one side, and so little harshness or even sternness of authority on the other.

Amidst all this mild and really tender indulgence to their negroes, these colonists had not the smallest scruple of conscience with regard to the right by which they held them in subjection. Had that been the case, their singular humanity would have been incompatible with continued injustice. But the truth is, that of law, the generality of those people knew little; and of philosophy, nothing at all.

They sought their code of morality in the Bible, and there imagined they found this hapless race condemned to perpetual slavery; and

thought nothing remained for them but to lighten the chains of their fellow Christians, after having made them such.

Arguments for the right are of small account as weighed against interest. The irrepressible conflict at last came, and involved the nation in a cruel, bloody and expensive civil war. It decided that the system of human slavery was a national evil, and could not be extended and protected as a national institution. Blood and iron in this great conflict severed the fetters of every black man in the land, and legalized slavery was blotted forever from the constitution and the laws of the United States. The people of Albany County did well their part in this great struggle.

Records and statistics relating to the number of slaves in this county are very incomplete, and not wholly reliable. Those given below are compiled from census returns and other sources. The same may be said of the enumeration of negroes or blacks, as the early record did not often distinguish the slaves. It may be presumed that most persons counted as negroes before 1800 were slaves.

The following lists exhibit all we are able to give at this writing:

1. Negroes in the State census, including slaves, in specified years: 1790, 25,978; 1800, 31,320; 1810, 40,350; 1820, 39,367; 1830, 44,949; 1840, 50,031; 1850, 49,069; 1860, 49,145; 1870, 52,549; 1880, 56,121.

2. Negroes in Albany County, inclusive of slaves, in the years specified: 1698, 23; 1714, 213; 1723, 808; 1731, 1,273; 1737, 1,630; 1749, 1,480; 1756, 2,119; 1771, 3,877; 1795, 4,094; 1800, 2,094; 1810, 1,638; 1820, 1,271; 1830, 1,595; 1840, 1,314; 1850, 1,194; 1860, 939; 1870, 1,095; 1880, 1,367.

3. Colored persons in the towns of Albany County in 1880, were as follows:

Albany, 1,036; Berne, 1; Bethlehem, 91; Coeymans, 59; Cohoes, 17; Guilderland, 2; Knox, 2; New Scotland, 25; Rensselaerville, 0; Watervliet, 131; Westerlo, 3; total 1,367.

4. We gather the following census of slaves in this County by towns:

Albany, 1810, 256; 1820, 109. Berne, 1810, 35; 1820, 30. Bethlehem, 1810, 137; 1820, 73. Coeymans, 1810, 101; 1820, 36. Colonie, 1810, 30. Guilderland, 1810, 66; 1820, 47. Rensselaerville, 1790, 11; 1810, 21; 1820, 14. Watervliet, 1790, 730; 1810, 128; 1820, 96. Westerlo, 1820, 8. Total 1790, 741; 1810, 772; 1820, 413.

## HOMICIDES IN THE COUNTY OF ALBANY.

Collected and Arranged by ELISHA MACK.

1687.—JOHN CASPERS, indicted for causing the death of his negro girl. No record of trial.

1767.—Jack, the negro of James Starling, indicted for murder.

Two indictments against Sarah Seecles for child murder.

1780.—Pomp, indicted for the murder of Pete, both negro slaves of George Sharp.

1782.—Joseph Bettys, convicted of treason and murder. Conditionally pardoned by General Washington. Recaptured for murder and hanged.

1806.—Daniel Chambers, Jr., indicted for killing Peter Roff. Tried and convicted of manslaughter. Sentenced to State Prison for thirteen calendar months.

George Van Derwerken and John C. Hemstraat were indicted for killing Peter Roff. Tried and acquitted.

John Pye, innkeeper, whose house was feloniously entered in the night-time, shot and fatally wounded the burglar—a case of justifiable homicide.

1807.—Benjamin Gates, indicted for the murder of an Indian named Joe. Tried and acquitted.

1811.—Isaac Killan, indicted for manslaughter in the first degree. Tried and acquitted.

1813.—Thomas Burns and Joseph Mosher, indicted, tried and convicted for the murder of John E. Conklin and sentenced to be hanged. Burns was executed. Mosher was respited by Governor Tompkins until the meeting of the Legislature. He was subsequently pardoned.

1815.—Anson Spooner was sentenced to State Prison for manslaughter for the term of five years.

David Allen, Jr., indicted for murder, was discharged by order of the court.

1816.—James Walsh, convicted of manslaughter.

1818.—James Hamilton, indicted, tried and convicted for the murder of Major Benjamin Bird-sall. He was sentenced to be hanged. Executed November 6, 1818.

1820.—Jack Van Patten, indicted for murder and assault and battery. Tried. Verdict: "Not guilty of murder, but guilty of assault and battery only." Sentence: County Jail for thirty days.

1823.—Robert Anderson—trial for murder—was acquitted.

1824.—Barent Haner, indicted for killing a negro with a club. Tried, convicted and sentenced to State Prison for ten years.

1825.—William Bell and Samuel Bromley, indicted for manslaughter. Tried. Bromley was convicted and sentenced to State Prison for ten years. Bell was acquitted.

1826.—James Wilson, indicted for the murder of John Queen. Tried and acquitted.

Robert Carhart, indicted for murder, was tried and convicted of manslaughter. Sentence: State Prison for twelve years.

1827.—Jesse Strang, indicted, tried and convicted for the murder of John Whipple. He was sentenced to death, and executed August 24, 1827.

Elsie D. Whipple, indicted as accessory before the fact, for the murder of her husband, John Whipple. Tried and acquitted.

1829.—George Thomas, indicted for murder. Tried and convicted of manslaughter in the second degree. Sentenced to State Prison for seven years.

1831.—John Snyder, indicted for murder. Convicted of manslaughter and sentenced to State Prison for two years.

William Wilson, for killing Thomas Platt, was indicted for manslaughter. Convicted of an assault and battery, and sentenced to the County Jail for three months.

William Lackey, indicted for the murder of Peter Turner. Tried and found guilty of manslaughter in the third degree. Sentenced to State Prison for three years.

1833.—George Sims, convicted of manslaughter in the fourth degree. Sentence: State Prison for two years.

1835.—Daniel Riley, tried for murder. Acquitted.

1836.—John Hamilton, indicted for the murder of William Duffy. Tried and acquitted.

Sally Ann Harden, indicted for murder. Tried and acquitted.

1837.—Daniel Murray, convicted of manslaughter in the fourth degree. Sentence: Jail for forty days.

1838.—Thomas Rector, indicted for the murder of Robert Shepherd by striking him on the head with a wooden bar, fracturing his skull. He was tried and convicted. A new trial was granted, the venue fixed at Ballston, Saratoga County, where he was convicted of manslaughter in the second degree. Sentenced to State Prison for seven years.

George Thompson, indicted for the murder of John Johnson by striking him on the head with a cart-stake, fracturing his skull. Tried and convicted. Sentenced to be executed; commuted to State Prison for life.

Jane Dupang, indicted for the murder of her infant by drowning. Tried. The jury did not agree. Prisoner discharged.

1839.—Isaac Hallenbake, indicted for manslaughter in the fourth degree, causing the death of Seth B. Barman, under twelve years of age, by administering to him spirituous liquors. Acquitted.

1840.—Jacob Leadings, indicted for murder—killing his wife, Harriet, by shooting her with a gun. Tried, convicted and sentenced. Was executed December 29, 1840.

Edward Snooks, indicted for the murder of Mary Jenks. Tried and acquitted.

1841.—Henry P. Van Zandt, indicted for murder. Tried and acquitted.

Aaron Hughes, indicted for murder. Tried and convicted of manslaughter in the second degree. Sentence: State Prison for seven years three months and eleven days.

Bridget Hughes, indicted for murder. Arraigned and discharged.

1842.—Louis Bourgeois, indicted for manslaughter in the third degree by stabbing James Kennedy. Tried and convicted. Sentence: State Prison for four years.

Christian Boork killed his wife by striking her on the head with an ax, crushing her skull. He ended his life by hanging himself.

1845.—Robert Black and Patrick Markey, indicted for manslaughter in the fourth degree by running their sleigh into another sleigh in which was Miss Lydia Oliver, who was thereby instantly killed. Tried and convicted. Sentence: State Prison for two years.

Harman B. Campbell, indicted for manslaughter. Tried and acquitted.

George Wilson, held to bail for manslaughter in the fourth degree, whereby Mrs. Anthony, of Co-

hoes, was instantly killed by a locomotive running over her. Wilson was not indicted.

1846.—Charles Gouche, Joseph and Charles Malay, indicted for murder by shooting John Barman. On trial, Gouche was convicted of manslaughter in the first degree and sentenced to State Prison for life. The Malays were acquitted.

1847.—Jeremiah and Eugene Sullivan, indicted for the murder of James Smith. On trial, Jeremiah was convicted of manslaughter in the third degree. Sentence: State Prison for four years. Eugene was acquitted.

Michael Teeven struck Michael Walls on the head with a stick of wood, causing death in a few hours. Teeven escaped.

1848.—John McGuire, indicted for murder—killing, by kicks and blows, James Connolly. Tried and acquitted.

Thomas Kelly, a lunatic, killed, by shooting and stabbing, James C. Mull. Kelly died in the State Lunatic Asylum in Oneida County.

James Whalen, for the murder of Peter Turner, by beating and kicking and throwing him in the canal, causing death. Tried and convicted of manslaughter in the third degree. Sentence: State Prison for seven years.

George Erwin, bailed for manslaughter in the second degree. Can find no record of trial or acquittal.

William Maxted killed Michael McGown by stabbing him with a knife. Tried. Convicted of manslaughter in the third degree. Sentence: State Prison for four years.

1849.—Barney Leddy, for the murder of his wife by kicks and blows. Convicted of manslaughter in the first degree. Sentence: State Prison for life.

Three unknown assassins robbed and murdered Joseph N. Becker. No capture.

John Robinson, indicted for the murder of Christopher Jocelyn by striking him on the head with a heavy club. Tried and convicted of manslaughter in the second degree. Sentence: State Prison for seven years.

Eseck Carr, indicted for the murder of his wife, Jane, by poison. Tried and acquitted.

1850.—Reuben Dunbar, indicted for the murder of two small boys, Stephen V. and David L. Lester. Tried, convicted and sentenced to be hanged. Executed January 31, 1851.

John S. Jackson, indicted for the murder of his mother-in-law, Margaret Thompson. Tried and convicted. Sentenced to State Prison for four years.

1851.—In the night-time, one or more assassins killed, by kicks and blows, Harriet Smith. No capture.

John Osborn killed, by beating with a stone, Teunis S. Slingerland. Osborn escaped.

Susan Gaynor, for manslaughter in the fourth degree. Sentenced to the Penitentiary for six months.

John Moore killed his wife, Elizabeth, by shooting her, tearing off the upper part of her skull. He then shot himself, causing instant death.

1852.—Patrick McEnroe killed, by kicking and beating, Thomas Cassidy. Tried. Convicted of manslaughter in the third degree. Sentence: State Prison for two years.

James Moore, indicted for murder—killing his wife, Elizabeth. Tried and convicted of manslaughter in the third degree. Sentence: State Prison for two years.

John Henderson, convicted of manslaughter in the third degree. Sentence: State Prison for two years.

1853.—John Hendrickson, Jr., indicted for the murder of his wife, Maria, by administering to her poison. Tried and convicted. Sentenced to be hanged. Executed May 4, 1854.

Richard Dyness, indicted for manslaughter in the fourth degree. Tried, convicted, and sentenced to the Penitentiary for four months.

1854.—John H. Phelps, indicted for the murder of his wife, by stabbing her with a dirk. Tried, convicted and sentenced to be executed. Commuted to State Prison for life.

John H. Hotaling stabbed William Gibson, causing his death. Tried. Convicted and sentenced for manslaughter in the third degree. Sent to State Prison for four years.

Catharine Slingerland, an imbecile, killed her infant. Indicted for murder. Pleaded guilty of manslaughter in the fourth degree. Sentenced to the Penitentiary for one year.

1855.—John Dunnigan, indicted for murder—killing his wife, Catharine. Tried and convicted. Sentenced to be hanged. Commuted to State Prison for life.

William McCrossin, indicted for the murder of Michael Brennan, by shooting him with a pistol, causing instant death. Tried and acquitted.

1856.—Patrick Lane, indicted for manslaughter in the second degree, by kicking and beating, causing the death of James Carlin. Tried and convicted. Sentence: State Prison for four years.

Francis McCann, indicted for the murder of his wife, Agnes, by striking her on the head with an ax. Arraigned. Pleaded guilty of manslaughter

in the first degree. Sentenced to State Prison for life.

John Cummings, indicted for murder, by shooting with a gun Frederick Stumpf. Tried and convicted. Sentenced to be executed. Commuted to State Prison for life by Governor King. Pardoned by Governor Fenton.

James Carney, indicted for the murder of Patrick Carroll by throwing stones and otherwise beating him, causing his death. Pleaded guilty of manslaughter in the first degree. Sentenced to State Prison for life.

Assassins, unknown, killed Mrs. Anastatia Bulger.

1857.—Robert Morrison, indicted for manslaughter, by keeping bears on a public thoroughfare, whereby one John Hoey and an Indian named Joseph Harney were killed. Tried and acquitted.

Susan Anthony, indicted for murder—strangling her infant. Tried and convicted of manslaughter in the first degree. Sentenced to State Prison for life.

1858.—Robert Morrison, Jr., held to bail for manslaughter in the third degree. No record of trial found.

Michael Naughton, a boy, indicted for murder—killing, by stabbing in the breast with a knife, Joseph O'Callaghan, Jr. Pleaded guilty of manslaughter in the fourth degree. Sentenced to the House of Refuge.

Thomas N. Francis, indicted for the murder of Rachel Hilton, by beating her with a bar of wood. Tried. Verdict: guilty of manslaughter in the first degree. Sentence: State Prison for life.

John Wilson, indicted for the murder of Patrick McCarty, by striking him on the head with a hatchet. Tried and convicted. Sentenced to be executed. Commuted to State Prison for life.

1858.—Mary Hartung, indicted for the murder of her husband, Emil Hartung, by administering poison to him. Tried, convicted and sentenced to be executed. Proceedings stayed. Discharged.

William Rheinmann, indicted as accessory for the murder of Emil Hartung. Tried and acquitted.

1859.—Oscelia Mastin, indicted for causing the death of a young woman pregnant with child, by abortion. Pleaded guilty of manslaughter in the second degree. Sentence: State Prison for four years.

Catharine Messer, causing the death of an infant by giving it poison in porridge. Find no record of trial.

Jefferson W. Bennett, indicted for the murder of Robert Morrison. Tried and acquitted.

Michael O'Brien, indicted for the murder of his wife by beating her. Tried and convicted. Sentenced to be executed. Executed June 3, 1859.

John Osborn, indicted for murder. Pleaded guilty of manslaughter in the fourth degree. Sentenced to the Penitentiary for one year.

John Irvin, indicted for murder, by beating his wife with a club. Pleaded guilty of manslaughter in the second degree. Sentence: State Prison for four years.

Adam Murray, indicted for murder—killing John Cahill by stabbing him with a knife. Pleaded guilty of manslaughter in the second degree. Sentence: State Prison for four years.

1860.—John McCotter, indicted for the murder of Thomas O'Halloran by stabbing him with a chisel. Pleaded guilty of manslaughter in the third degree. Sentenced to State Prison for two years.

Terence Leavy, indicted for the murder of Michael Burk by stabbing him with a knife. Pleaded guilty of manslaughter in the third degree. Sentence: State Prison for three years.

1861.—Walter Barrett, indicted for the murder of Terence Boyle by stabbing him with a knife. Pleaded guilty of manslaughter in the third degree. Sentence: State Prison for three years and eight months.

1862.—Michael Hewson, indicted for the murder of Thomas Costello by stabbing him with a knife. Pleaded guilty of manslaughter in the second degree. Sentence: State Prison for two years and eight months.

1863.—William J. Church, indicted for the murder of his wife, Ann, by stabbing her with a knife. Pleaded guilty of manslaughter in the second degree. Sentence: State Prison for twenty years.

Patrick Flynn, indicted for the murder of John N. Colburn by striking him on the head with a heavy stave. Pleaded guilty of manslaughter in the second degree. Sentence: State Prison for seven years.

Matthew Brumaghim, indicted for the murder of Charles Phillips by shooting him with a pistol. Tried and acquitted.

1864.—Mackey Dunnigan, indicted for the murder of John Connors by shooting him with a pistol. Pleaded guilty of manslaughter in the third degree. Sentence: State Prison for two years and two months.

Bridget and David McCarty, indicted for the murder of Michael Gilmartin by beating him with a stove cover and a stone or brick-bat. No record of trial.

George E. Gordon, indicted for murder in killing Owen Thompson by beating him with a club. Arraigned and tried. Convicted of murder. Sentenced to be executed. Exceptions taken and carried to the Supreme Court and Court of Appeals. Final sentence: State Prison for life.

John P. Cordell, Philip Damp, and Frederick Damp, indicted for manslaughter in the first degree, by causing the death of the wife of Frederick Damp by inflicting upon her blows and otherwise brutal treatment. Acquitted.

David Crawley, indicted for murder. Tried. Verdict: guilty of manslaughter in the second degree. Sentence: State Prison for seven years.

1865.—Some four or five persons were suspected of throwing the missile that struck John McInnerney on the head, fracturing his skull and causing his death a few days after the fatal deed. The criminal was never captured.

1866.—Michael Chestnutt, without felonious intent, struck John Hanna a blow with his fist, causing him to fall, striking his head against some hard substance, fracturing his skull, of which injury he died. Chestnutt was indicted for manslaughter in the first degree. Convicted of manslaughter in the fourth degree. Sentenced to pay a penalty of fifty dollars.

Judson W. Palmer, indicted for murder. On trial the jury did not agree upon a verdict. Discharged.

1867.—George W. Cole, indicted for the murder of Hon. L. Harris Hiscock by shooting him with a pistol. The jury did not agree. On the second trial the prisoner was acquitted.

1869.—Henry Trainor, indicted for manslaughter in the second degree, for killing John Donnelly. Tried and convicted. Sentence: Penitentiary for one year.

1870.—Lorenzo Murphy, indicted for manslaughter in the second degree. Sentence: Penitentiary for one year.

Robert Pickett, indicted for murder. On trial the jury was withdrawn and the prisoner discharged.

John O'Neil, indicted for murder. Pleaded guilty of manslaughter in the third degree. Sentence: House of Refuge.

1871.—Lemuel P. Van Hoesen, killed his wife, Harriet A., by beating her head with a stew-pan, fracturing her skull. The prisoner was declared

insane. A few years since he committed suicide at Omaha, Neb.

1872.—William Wilcox, indicted for murder of John Seib by shooting him with a pistol. Tried. Convicted of manslaughter in the fourth degree. Sentence: State Prison for four years.

Michael Hifford, convicted of manslaughter in the third degree. Sentence: House of Refuge.

1873.—Emil Lowenstein, indicted for the murder of John D. Weston, by shooting him with a pistol. Tried and convicted. Sentence: death by hanging. Executed April 10, 1874.

Margaret Lyons, indicted for the murder of an infant by administering phosphorus. Pleaded guilty of manslaughter in the fourth degree. Sentenced to State Prison for one year.

1874.—David Landers was tried for killing Thomas Van Aernam by hitting him on the head with a stone. Verdict: guilty. Sentenced to pay a penalty of one hundred dollars.

1875.—Rachel Bartell, indicted for causing death by abortion. Tried and convicted. Sentenced to the Penitentiary for eighteen months.

John Barrett, indicted for killing Ira B. Mosely by stabbing him with a carving knife in the breast, penetrating a lung. Find no record of trial or acquittal.

1876.—Lewis Theus, indicted for murder in the first degree by throwing a butcher's knife, striking John Gresser, aged fourteen years, causing death. Pleaded guilty of manslaughter in the third degree. Sentenced to the Penitentiary for three years.

Mary A. McDonald, indicted for manslaughter in the third degree for shooting her husband, Robert McDonald. Tried and acquitted.

1877.—Edward Scully killed John Davis by stabbing him with a knife. Scully escaped capture.

1878.—Daniel Van Deusen, indicted for murder in the first degree by stabbing with a knife Philip Hyde. Pleaded guilty of murder in the second degree. Sentence: State Prison for life.

1879.—John C. Hughes, indicted for murder in the first degree by stabbing William J. Hadley with a knife, causing death. Tried. Verdict: murder in the second degree. Sentenced to State Prison for life.

Helaire Latromouille, indicted for murder in the first degree by stabbing with a knife Catharine Dunsbach. Tried. Verdict: guilty of murder in the first degree. Sentence: death by hanging. Executed August 20, 1879.

Thomas Mallon, indicted for murder in the first degree by shooting his wife, Ann, with a gun.

Tried and convicted of manslaughter in the fourth degree. Sentence: State Prison for two years.

Person unknown murdered Stephen Dugan.

1880.—William McNeal, indicted for murder in the first degree, by stabbing with a knife, his wife Catharine. Tried. Verdict: murder in the second degree. Sentence: State Prison for life.

Hiram G. Briggs, indicted for murder in the first degree by shooting Erskine Wood. On motion, the indictment was quashed. The prisoner was arraigned on a new indictment similar to the former. Pleaded guilty of manslaughter in the third degree. Sentenced to the Penitentiary for two years.

Charles Burt killed, by shooting with a pistol, Catharine Smith. He immediately shot and killed himself.

1883.—William Dyer, indicted for manslaughter in the second degree by carelessly driving a two-horse team attached to a truck wagon, and running over a small boy named Charles Cook, causing his death. Tried and convicted. Sentenced to the Penitentiary for one year.

Person or persons unknown killed Michael Biofore.

1884.—Peter Edwards killed his wife, Cornelia, by beating her with a hammer and stabbing her with a butcher's knife. He inflicted injuries upon himself of which he died.

Catharine Schreiver, wife of Christopher Schreiver, in one night killed four of her children by cutting their throats. She then caused her remaining child, a daughter nine years of age, to accompany her to a place half a mile distant on the New York Central Railroad, known as Black Rock, where the affrighted child, in obedience to the stern command of her crazed mother, sat upon the rail, while the mother prostrated herself across the railroad track. Soon the down train came rapidly, decapitating the mother and so mangling the child that she too was soon numbered with the dead.

Michael Downey, indicted for murder in the first degree by shooting with a pistol, Dennis Desmond. Arraigned. Pleaded guilty of murder in the second degree, and was sentenced to State Prison for life.

Ah Kay, indicted for murder in the first degree by shooting Wee Kee. Both were Chinese. Arraigned and tried. Convicted for murder in the second degree. Sentenced to State Prison for twenty years.

Mrs. Margaret Ahern, indicted for murder in the second degree by maliciously pushing Peter Clark off a stoop, causing instant death. Tried.

Verdict: manslaughter in the second degree. Sentence: Penitentiary for three years.

Assassin unknown killed James Larrison.

ELISHA MACK, who industriously and conscientiously compiled this paper on "Homicides in Albany Co.," is able to give a more extended history of most of them. He has also written out, very fully, the history of other noted criminals in this city and county, many of whom were brought to justice by his own detective skill, while he was (for nearly twenty years) on the Police force. No man ever held this trust with more integrity, and few with more acceptance. The Police records, kept by those high minded Police Magistrates—Cole, Kane, Comstock and Loveridge—

testify to his sagacity and skill in making important arrests, and bringing to light cunningly hidden iniquity. Want of space prevents us from inserting some of his marvelous details, told, as he tells them, with remarkable clearness and delicacy. If they could be printed in book form the record would be valuable to the police, the lawyer and the Courts everywhere. Mr. Mack was born in Windsor, Berkshire County, Massachusetts, February 7, 1811. He came to Albany in 1816, and still lives among us, active and highly respected, in his 75th year.

It is worthy of note that the number of murders is very small for a county so old, and with so large a population made up of people of such varied nationality and pursuit. The number convicted, sentenced, and punished with the extreme penalty, is also remarkably small.

## TRAVEL AND TRANSPORTATION IN ALBANY COUNTY.

THE native Indian, in his journeyings, had marked out his paths by the courses of the streams, by the peaks of the hills, and observations of the sun, moon and stars. We have named them Indian trails, and early European hunters, trappers and settlers found them very useful. When the Indian came to navigable waters he paddled his light canoe, which he took up when he came to dangerous rapids or wished to cross from one water to another, and launched in the desired place in his route.

When the early immigrants from Holland came to this country, they came up the Hudson in the sailing craft of their time. The Dutch knew how to construct and navigate ships. The water-way between New Amsterdam and Fort Orange, afterwards New York and Albany, was much traveled by the early adventurers in the fur trade; by colonial farmers, settlers, and speculators of every name; by curious travelers; and by public functionaries of the Patroons, of the Dutch West India Company, and of the English crown. All came and went in canoes, batteaux, rafts, or some kind of ship. Trade was carried on in the same way; and the trade, of bringing supplies for a people whose chief business was hunting and trading, whose manufactures and farming were of the most simple kind, was large. It took in return, to the New York, West India and European marts, furs, peltries, and, after a time, the surplus products of the forest and farms. In all the years from the discovery of the Hudson to the war for American independence, the carriages and the carrying, both by land and water, were essentially the same. Most of the settlements hereabouts were from the Atlantic waters along up the

Hudson River and the Mohawk. Those few who dwelt a little way off from them or other waters, got to them, when necessity or profit impelled, either on foot, bearing their bearable burdens on their backs, or using the rudest conveyances that ox or horse ever dragged or drew.

Some improvements in carriages were introduced by the English in the later colonial period and especially by those who came from New England. But the best of these, rude as they were compared with those of to-day, were few and owned only by the wealthy. The enormous carts or wagons which the early immigrants from New England used in which to bring their families and their household goods, created amazement and amusement to the natives along the Hudson and the Mohawk. But these moving Saxons from "the Eastern States" brought ideas with them and cute ways of doing things. Heavy wagons were used for transportation in this vicinity during the revolutionary war; but the lighter travel was pursued on horseback or on foot, for long journeys. For some years after the dawning of the present century, there were no light wagons in the new settlements and no roads for them. The dominie made his parish visits on horseback; the doctor visited his distant patients on horseback, carrying his medicines in saddle-bags; and the lawyer, taking his green bag, rode to court on horseback. Social visits were interchanged between friends residing at remote distances in this same way. Church-goers in neighboring towns came on horseback, several miles, to attend service in Albany, taking all day and often spending the night with friends. The same horse carried

the wife, sitting on the pillion behind the husband, and frequently an infant for baptism. When they could not ride, parents and older sons and daughters often walked long distances to do an important errand, to visit friends, or to listen to their pastor's Sabbath instructions. In one or the other of these ways the grist was taken to mill, the fleece to the wool-carder and clothier, and the little surplus produce to the city merchant.

Time makes many changes to meet the requirements and necessities of mankind. New inventions to economize domestic affairs and to lighten the burdens of toil were sought; many rude improvements were the result. New and better conveyances, first used by the more prosperous citizen, were introduced, while the laborer back in the forest long continued to ride in his rudely constructed cart, often drawn by a yoke of oxen.

When the carriage and coach made their appearance for the aristocracy, the farmer was usually content in the comfort he realized from the rude wagon, the workmanship of home skill. All these vehicles were improved to meet the demand of progress. The years that followed the first quarter of this century witnessed rapid strides in better facilities for intercommunication and the conveyances for travel and transportation.

Travel from Albany to distant points began to assume considerable proportions as new fields of enterprise were opened. Increase of population, the multiplied demands of agriculture, manufactures and home industries, brought a corresponding increase in travel, trade, and other branches of business which contribute to prosperity. Among the first considerations of a practical kind was to find a market for surplus agricultural products and manufactures. These found a natural outlet by the river, and commodities were usually shipped upon it by sloops or schooners. Trade was opening beyond Albany westward, along the Mohawk valley to Johnstown and even to Cherry Valley. Roads must be made. At first they naturally followed the Indian trails. Those from the north and west were by five routes centering in Albany. In time they were improved and used as wagon roads by early travelers, and served during the revolution for transporting supplies and for other military purposes.

The earliest traveled route, as has been said, between Albany and New York was by the Hudson River. In 1785, the Legislature granted to Isaac Van Wyck, Talmage Hall and John Kinney, the exclusive right to drive stage wagons on the east side of the river for the term of ten years.

The fare was fixed at four-pence a mile. A year later, communication with Springfield, Mass., was opened, and in 1789 a stage commenced running to Lansingburgh.

Public wagon roads, about 1790, were opened for travel east; also to Whitestown on the west, which soon extended to the Genesee country. Thus was a new idea suddenly brought to the notice of active men, from which they hoped to realize success in new enterprises. Among the first was a line of stages by way of Schenectady to Johnstown, Canajoharie, Fort Plain and Warrensbush. In 1790, the Legislature granted to Ananias Platt the exclusive right to run a stage between Albany and Lansingburgh. In 1791, a stage route was extended by the Legislature to Bennington, Vt. In 1792, a line of stages was established from Albany to Whitestown, performing the journey once in two weeks. In the spring of 1793, Moses Beal carried passengers from Albany to Canajoharie once a week; the fare was three cents a mile. About this time John Hudson established an opposition line to Schenectady; fare, four shillings. A line connecting Albany with the Connecticut River Valley was soon started. In 1794, Mr. Platt ran his stage between Lansingburgh and Albany twice a day. So great was the increase in travel, that in the winter of 1795 the number of daily trips was six; and in the summer of 1796, it was necessary to employ twenty stages daily between Waterford, Lansingburgh, Troy and Albany, averaging more than one hundred and fifty passengers daily. The mails in 1796, were carried between Albany and Philadelphia in three days. This year there were five post routes centering in Albany. The fare to New York was reduced from ten to eight dollars.

After the war of the revolution, there was general activity in the direction of internal improvements. The great object was to connect existing highways with the Mohawk River, extend trade to other places, and bring the products west of Schenectady to Albany, and thence to New York for a market. The Mohawk not affording a continuous route, on account of the Cohoes Falls, to obviate this obstruction, and to secure a more economical and expeditious method, the Northern Inland Lock and Navigation Company was organized as early as 1790, followed in 1792 by the Western Inland Lock Navigation Company, to connect the central lakes with the Mohawk. Philip Schuyler was president, and Barent Bleecker was treasurer; Elkanah Watson and Stephen Van Rensselaer were active in the enterprise. In 1796, \$40,000 worth

of furs and peltries were received by one Albany house from Western companies, and trade was increasing rapidly. The heavy lumbering wagons with their four and six horses, loaded with tons of produce and merchandise, formed a line on this road not unlike an Eastern caravan. It is recorded that, in the winter of 1795, one thousand two hundred sleighs passed through this city in three days with emigrants to the Genesee Valley. They were from New England—ancestors of the prosperous citizens of the farms and shops of Western New York. They soon had abundant products to sell and demanded a highway of trade. It was for the interest of Albany and New York that it be made. Following the enterprise of a few public benefactors, improved facilities for transportation on the Mohawk to Schenectady were undertaken. In 1797, was incorporated the Albany and Schenectady Turnpike, then one of the most important roads in the State. It became the leading highway for travel and traffic connected with the wonderful progress then developing in the western part of the State, opening lateral outlets of vast importance. This road continued to be profitably patronized until the opening of the Erie Canal in 1823, when its usefulness and profit were diminished. The Hudson and Mohawk Railroad in 1832 was a great competitor. Turnpikes became an enterprise in which capitalists eagerly invested. They were a great improvement upon the old roads; but few of them proved profitable to the stockholder, and several of them are now abandoned.

The trade that centered in Schenectady was a source of rivalry. To obtain a share of the business and to secure a portion of this coveted treasure, the Troy and Schenectady Turnpike was incorporated in 1806, which, after a few years of successful operation, shared the fate of other similar roads. Travel and freight have been diverted to other methods, and are now conveyed by the agency of steam.

In 1798, the Legislature chartered the Lebanon and Albany Turnpike; in 1799 the first company of the Great Western Turnpike was chartered; in 1804 the Bethlehem Turnpike; and in 1805 the Albany and Delaware Turnpike. A turnpike on the west side of the river to Catskill was chartered about this time. All these roads had in view the concentration of travel to Albany, and for many years Albany was the starting point of a score of stage lines, and mail routes diverged in all directions, extending west as far as Buffalo.

After 1800, until the completion of the canal, travel and transportation to Buffalo and other points

were exclusively performed by heavy wagons drawn by four or six horses.

After the completion of the canal, Albany became a great highway for travel; for many years the packet boats were well patronized, as they offered the passengers many comforts, and facilitated social enjoyment. The first packet boat on the canal, direct from Albany, that visited Buffalo was the Benjamin Wright, which arrived October 29, 1825. The event was duly celebrated in that village.

In 1811, a line of stages was started from Albany to reach Niagara Falls in three days, thence to Buffalo. The fare to Canandaigua was \$16.25.

The old swinging stage coach rumbled over these roads, and its departure or arrival was hailed with interest by the villagers, who gathered at the taverns to gossip, to hear the news and to see the sights.

The stage owners located at Albany were Thorp & Sprague, Rice & Baker, Baker & Waldrige, Halsted, and some others. These parties owned a good number of horses; but upon the completion of the railroads, the glory and usefulness of their business departed, and the iron horse now supersedes the weary men and jaded horses.

The year 1807 marked a new era and introduced a new power in the economy of travel. From that year to the present, steam has wrought wonderful changes, and the Hudson River claims the honor of the first successful steamboat enterprise. Since the establishment of this mode of travel on the Hudson River, steamboats have been improved, from the simple craft of Fulton—which left New York on September 5, 1807, with twenty-seven passengers, and October 7th with one hundred passengers, taking from 24 to 36 hours time to make the trip—to the gorgeous and spacious floating palaces of the present, which make the trip in nine hours or less, and have accommodation for 600 to 800 passengers, and often carry a larger number. The fare on Fulton's boat was seven dollars, now it is from one dollar to one dollar and fifty cents.

In 1811 there were two steamboats carrying passengers to New York, the Hope and North River. In 1836 there were twelve steamboats and seven towing boats. The steamboat travel on the river in past years has been immense, but the railroads on either side of the river have become formidable rivals to the once monopolized privileges of the passenger boats, so that the number has somewhat diminished as compared with former years. We have space to give the names only of a few of the principal steamboats that have ploughed the Hudson River.

In 1820, the Chancellor Livingston, 175 x 50 feet. Had beds for 160 passengers and settees for 40. Fare, eight dollars.

In 1823, the Constitution, Constellation, Swiftsure and Saratoga began to run

In 1828, the North America, "the most beautiful and swift of the floating palaces on the Hudson; or, as I believe, I may add with truth, in the world," says Dr. Charles Stuart.

In 1835, the Champlain followed by the Diamond, Swallow, Reindeer, Henry Clay, Hope and Columbia. After 1850, by the Alida, New World, Francis Skiddy, Empire City, Jonas C. Heart.

After 1860, came the Armenia, Daniel Drew, Isaac Newton, Mary Powell, St. John, Chauncey Vibbard, Vanderbilt, Dean Richmond, and the Albany.

Many of these recent steamboats have made the trip between New York and Albany in seven hours forty-five minutes, and sometimes in six hours forty-two minutes.

In the words of Lossing: "The steamboat itself is a romance of the Hudson. Its birth was on its waters, where the rude conceptions of Evans and Fitch were perfected by Fulton and his successors. How strange is the story of its advent, growth and achievements! Living men remember when the idea of steam navigation was ridiculed. They remember, too, that when the Clermont went from New York to Albany without the use of sails, against wind and tide, in thirty-two hours, ridicule was changed to amazement. The steamboat was an awful revelation to the fishermen, the farmers, and the villagers. It seemed like a weird craft from Pluto's realm,—a transfiguration of Charon's boat into a living fiend from the infernal regions. Its huge black pipe vomiting fire and smoke, the hoarse breathing of its engine, and the great splash of its uncovered paddle-wheels filled the imagination with all the dark pictures of goblins that romancers have invented since the foundation of the world. Some thought it was an unheard of monster of the sea ravaging the fresh waters; others regarded it as a herald of the final conflagration at the day of doom. Some prayed for deliverance; some fled in terror to the shore and hid in the recesses of the rocks; and some crouched in mortal dread of the fiery demon.

"The Clermont was a small thing compared with the great river steamers of the present time. Fulton did not comprehend the majesty and capacity of his invention. He regarded the Richmond (the finest steamboat at the time of his death) as the perfection of that class of architecture. She was a

little more than 100 feet in length, with a low, dingy cabin, partly below the water-line, dimly lighted by tallow candles, in which passengers ate and slept in stifling air, and her highest rate of speed was nine miles an hour. Could Fulton revisit the earth and be placed on one of the great river steamboats of our time, he would imagine himself to be in some magical structure of fairyland, or of forming a part of a strange romance; for it is a magnificent floating hotel, over four hundred feet in length, and capable of carrying a thousand guests by night or by day at the rate of twenty miles an hour. Its gorgeously furnished parlors, lighted with gas, and garnished with rich curtains, mirrors and elegant furniture; its cheerful and well-ventilated dining-room; and its airy bedrooms, high above the water, compose a whole more grand and beautiful than any palace dreamed of by the Arabian story-tellers. It is the perfected growth of the Indian's bark canoe."

For a few years, about 1850, plank roads were chartered, and five were constructed in the county. These for a time were a novel enterprise, and commanded a large share of local travel; but now they are mostly abandoned, except on short lines, the travel having been diverted to lateral railroads.

Since the first railroad—the Mohawk and Hudson—was built, and began to be operated in this county in 1832 with its open coaches, a new system of journeying began at once to be introduced.

The facilities centered at Albany, by railroad and steamboat, for reaching any given point, will compare favorably with any city in the State. Roads center here from all points, and connections are made with other and continuous lines leading to everywhere.

The New York Central and Hudson River Railroad, with its consolidated branches from New York to Buffalo, makes Albany a great thoroughfare. During the year 1883 this road carried on its several branches nearly eleven million passengers. During the month of May, 1885, there were sold at the Union Depot, Albany, 53,228 passenger tickets. In the same month sixty-five passenger trains were dispatched daily. The fare on this road averages about 2.05 cents per mile.

The Delaware and Hudson Canal Company's Railroads are of immense utility to this County. This great corporation leases and operates, among other roads, the Albany and Susquehanna, the Rensselaer and Saratoga, and the New York and Canada, which start from Albany. The number of passengers carried on these roads in 1884 was

2,622,174, and for the month of May, 1885, there were sold at the Albany office 56,823 passenger tickets, and seventeen regular passenger trains were sent out daily. The fare on this road is three cents per mile.

The Boston and Albany Railroad has its station in the Union Depot. This road carried in 1883 over eight million passengers; and in the month of May, 1885, sold at the Albany office 37,099 passenger tickets, and despatched seven regular passenger trains daily.

The New York, West Shore and Buffalo Railroad was opened to Albany in 1883. There were sold from the Albany offices for the month of May, 1885, 9,095 passenger tickets, and eleven trains were sent out daily with passengers. The fare is three cents per mile.

The Troy and Boston Railroad sends six daily trains. It passes through Hoosac tunnel.

The several railroads that center at Albany sent out for the month of May from this city about 105 passenger trains daily, and the same number arrived daily. The total number of passenger tickets sold at the Albany offices for the same month was 156,243.

The whole number of passengers carried on the several steamboats from Albany for the season of 1884 was about 1,500,000.

Stages run daily from the city to New Scotland, New Salem and Berne; also to Clarksville, Westerlo and Rensselaerville, via Bethlehem Centre; to Guilderland Centre every afternoon; to Newtonville, Nassau and East Schodack daily; and to Greenbush every fifteen minutes.

## RAILROADS IN ALBANY COUNTY.

ALBANY has become a very important railroad center. It was one of the earliest points of railroad interest in the United States. The construction of a railroad parallel with the Hudson River, connecting the City of New York with the City of Albany, affording a communication between the two cities at all seasons, was considered an object of so much importance, that, in 1832, a number of enterprising citizens obtained from the Legislature a charter with a capital of \$3,000,000, and powers to construct the same. But a sufficient amount of the capital stock was not subscribed, and the project was abandoned for about twenty years. The then estimated cost of the road for a single track was \$12,000 per mile, which would amount to nearly \$2,000,000 for the whole line. It was believed that branches of this road might easily be constructed to Hartford and New Haven, and a large amount of business might be expected, not only from the eastern counties of this State, but from Berkshire County, Mass., and Litchfield and Fairfield Counties, Conn. The railroad commissioners of 1833 have this curious speculation concerning the profits of the proposed road: That it would accommodate a large number of the population in the vicinity of the route; that the amount of transportation which would be paid to the road by this population, on produce, minerals, manufactures and merchandise would amount to \$350,000, to which was added a larger amount to be ob-

tained from travelers and light freights between New York and Albany, particularly in the winter; that the annual income of the proposed road would amount to \$852,000. "This railroad," says this report, "will connect at Albany with the grand chain of railroads now in progress, or contemplated, from Albany to Buffalo, viz.: the Mohawk and Schenectady, completed; Utica and Schenectady, in progress; Syracuse and Utica, contemplated; Auburn and Syracuse, stock subscribed; Auburn and Rochester, contemplated; Tonawanda, contemplated, from Rochester through Batavia to Attica." Fifty-two years ago there was no railway between Albany and Buffalo, except the short line then known as the Mohawk and Schenectady, and no railway connection between New York and Albany; and the great road now known as the New York Central and Hudson River Railroad was not in existence.

The Albany and Schenectady road had been in operation since September 12, 1831, under the name of the Mohawk and Hudson. The Hudson River Railroad, chartered in 1832, and abandoned for lack of the necessary capital, obtained a new charter May 12, 1846, and on October 3, 1851, the road was opened from New York to East Albany. November 1, 1869, the New York Central Railroad and Hudson River Railroad companies were organized by consolidation. The New York Central Railroad Company was organized April 2,

1853, authorizing the consolidation of the railroads between Albany and Buffalo, as follows:

Albany and Schenectady; Schenectady and Troy; Utica and Schenectady; the Mohawk Valley; the Syracuse and Utica; the Syracuse and Utica direct; Rochester and Syracuse; Buffalo and Rochester; the Rochester, Lockport and Niagara Falls; the Buffalo and Lockport.

Articles of agreement, taking effect May 1, 1853, were filed May 15, 1853. The first Board of Directors was elected July 6, and the whole line delivered to the new company August 1, 1853.

The first railroad ever built in the State was the Albany and Schenectady, chartered in 1826 as the Mohawk and Hudson. It was opened September 12, 1831. In 1847, the name was changed to Albany and Schenectady.

Previous to the consolidation of the Hudson River Railroad with the New York Central, the Troy and Greenbush road, chartered in 1845, was leased to the Hudson River road, June 1, 1851, for seven per cent. on \$275,000 capital stock. The lease runs during the time of the charter, or any extension of the same. It was assumed by the New York Central and Hudson River road on consolidation.

The New York and Harlem, chartered April 25, 1831, is one of the routes from Albany to New York—formerly from Greenbush—the corporate existence of which was extended December 28, 1874, four hundred years. It leased its steam portion, running to Forty-second street, New York City, April 1, 1873, to the Central. This lease expires April 1, 1874, the annual rent being the interest on its funded debt and eight per cent. on its capital stock.

Before the construction of the railroad bridges which span the Hudson at Albany, all passengers and freight arriving at Albany en route for New York or the East were shipped by ferry to Greenbush. The two bridges now crossing the Hudson to East Albany are owned nominally by a separate organization called the Hudson River Bridge Company. The ownership, however, is vested really in the New York Central and Hudson River Company three-fourths, and the Boston and Albany Railroad one-fourth. Except for foot passengers, they are used exclusively for railroad pur-

poses. Each company pays its proportion of maintenance in operating. The cost of the road, consolidated, with all its rolling stock, etc., was \$114,731,917. Two hundred and ninety-five miles of the road between Albany and Buffalo has four tracks; between Albany and New York there are four tracks. It owns, in all, 2,361 miles of track, and controls by lease 324 additional miles; it owns 655 locomotives, 361 first-class passenger cars and 22,973 freight cars. It employs 15,355 persons, paying them during the year 1883, \$8,401,208 for services. During the railroad year ending December 31, 1883, it carried 10,746,925 passengers and 10,892,440 tons of freight; the average rate per mile per passenger was: through, 2.05 cents; way, 2.04 cents. The freight rates per ton per mile are .69 cents on through freight; .67 cents on way. Total earnings, \$33,770,721, from which is deducted, including an 8 per cent. dividend amounting to \$7,148,131, \$33,591,697, leaving a balance in favor of the road of \$179,024.

#### ALBANY AND SUSQUEHANNA RAILROAD COMPANY.

This road was incorporated under the General Railroad Law, April 19, 1851. It was open for travel and traffic from Albany to Central Bridge, a distance of thirty-five miles, September 16, 1863, and to other points at various dates, and to its terminus at Binghamton, January 14, 1869. The property of the company was leased February 24, 1870, to the Delaware and Hudson Canal Company for the term of its charter, one hundred and fifty years from April 19, 1851, paying a rental as follows: Six per cent. upon the Albany City bonds; seven per cent. upon the first, second and third mortgage bonds and first consolidated mortgage bonds; seven per cent. upon the capital stock; and \$1,000 for maintaining the organization. The interest and dividend are paid by the lessees directly to the stock and bondholders. A payment of \$5,000 semi-annually is also made by the lessees to the trustees of the sinking fund of the City of Albany, and is invested by the latter in certain funds for the ultimate payment of the Albany City bonds.

The following statement shows the condition of its funded debt:

## STATEMENT OF FUNDED DEBT.

KIND OF BONDS OR OBLIGATIONS.	IF AND HOW SECURED.	DATE OF ISSUE.	WHEN DUE.	RATE OF INTEREST.	AMOUNT OF AUTHORIZED ISSUE.	AMOUNT ACTUALLY ISSUED.	OUTSTANDING.
First mortgage.....	By mortgage.	July 1, 1863.	July 1, 1888.	.07	\$1,000,000 00	\$1,000,000 00	\$998,000 00
Second mortgage.....	By mortgage.	Oct., 1865.	Oct. 1, 1885.	.07	2,000,000 00	2,000,000 00	1,627,000 00
First consolidated mort.	By mortgage.	April 1, 1876.	April 1, 1906.	.06 and .07	10,000,000 00	4,556,000 00	4,556,000 00
Albany City .....	By mortgage.	Nov. 6, 1865.	Nov. 6, 1895.	.06	250,000 00	250,000 00	250,000 00
Albany City .....	By mortgage.	May 1, 1866.	May 1, 1896.	.06	250,000 00	250,000 00	250,000 00
Albany City .....	By mortgage.	Nov. 1, 1866.	Nov. 1, 1896.	.06	250,000 00	250,000 00	250,000 00
Albany City .....	By mortgage.	May 1, 1867.	May 1, 1897.	.06	250,000 00	250,000 00	250,000 00
Total .....					\$14,000,000 00	\$8,556,000 00	
Total outstanding .....							\$8,181,000 00

\* Includes \$3,450,000 to be used in exchanging other classes of bonds, as per terms of amended lease.

Albany is largely interested in various ways in the Albany and Susquehanna Railroad Company. The total cost and equipment of the road was

\$6,701,691.55. The following is the balance sheet for the year 1883, showing the moneyed interest of the City of Albany therein:

## BALANCE SHEET AT END OF YEAR.

Dr.	BY LAST REPORT.	BY THIS REPORT.		BY LAST REPORT.	BY THIS REPORT.	Cr.
Cost of road and equipment.....	\$6,701,691 55	\$6,701,266 55	Capital Stock..	\$3,500,000 00	\$3,500,000 00	
Additions and betterments made by the lessee.....	4,706,255 91	5,689,786 63	Funded Debt..	7,134,000 00	8,881,000 00	
Sinking fund in the hands of the trustees of the City of Albany, applicable to retiring the Albany City bonds issued to this company.....	237,466 54	260,237 37	Unfunded Debt	1,072,255 91	1,008,786 63	
New York and Albany Railroad Company stock.....	7,000 00	7,000 00				
Cash by last report.....	\$487 88					
Trustees' account by last report	419 58					
	907 47					
Cash by this report.....	\$887 90					
Trustees' account by this report	419 58					
		1,307 48				
Other assets.....	419 14					
Income account.....	52,513 30	30,188 60				
Total.....	\$11,706,255 91	\$12,689,786 63	Total.....	\$11,706,255 91	\$12,689,786 63	

## INCOME OR PROFIT AND LOSS ACCOUNT.

Debit balance of income account, Sep. 30, 1882..	\$52,515 30
Deduct items of gain.....	22,326 10
Balance of income account, Sep. 31, 1883.....	\$30,186 60

## THE ALBANY AND VERMONT RAILROAD.

This road was chartered October 17, 1857, and was leased in perpetuity to the Rensselaer and Saratoga Railroad Company, June 12, 1860, and is operated by the Delaware and Hudson Canal Company. The main line of the road from Albany to Waterford Junction, is twelve miles in this State. Its capital stock, as authorized by charter and paid

in, is \$600,000; number of shares, 6,000; number of stockholders, 47.

The total earnings of the road for the year ending 1883 were \$21,060.00. The charges against these earnings were \$19,200, giving surplus of \$1,860.

## BOSTON AND ALBANY RAILROAD.

This important and thoroughly equipped railway, uniting Albany with Boston, was chartered November 2, 1870. It is made up of a combination or consolidation of roads, as follows: Western Railroad Corporation, established by the Common-

wealth of Massachusetts March 15, 1833; Castleton and New Stockbridge Railroad Company, incorporated by New York May 5, 1834. Its name was changed to Albany and West Stockbridge Railroad Company by an act of May 5, 1836.

On November 11, 1841, a permanent contract was made for transportation by the Western Railroad Corporation and the Albany and West Stockbridge Railroad Company for the operation of the latter by the former.

On the 24th of May, 1867, the Commonwealth of Massachusetts passed an act consolidating the Western Railroad Corporation with the Boston and Worcester Railroad Company, under the name of

the Boston and Albany Railroad Company. This was done under authority of an act of the Legislature of the State of New York, passed May 20, 1869. By an act of the Commonwealth of Massachusetts, passed May 23, 1869, the Boston and Albany Railroad Corporation, the Albany and West Stockbridge Company, and the Hudson and Boston Railroad were united, and became the Boston and Albany Railroad Company. This grand scheme of consolidation was consummated November 2, 1870.

It is a direct route from Albany to Pittsfield, Worcester, Springfield and Boston. The Albany station, at this time, is Union Depot.

#### STOCK AND DEBT.

	BY LAST REPORT.	BY THIS REPORT.
Capital stock as authorized by charter.....	\$27,325,000 00	\$27,325,000 00
Capital stock as since fixed.....	20,000,000 00	20,000,000 00
Capital stock subscribed.....	20,000,000 00	20,000,000 00
Capital stock paid in.....	20,000,000 00	20,000,000 00
Funded debt.....	10,858,000 00	10,858,000 00
Unfunded debt.....	1,012,722 15	906,729 58
Total funded and unfunded debt.....	11,870,722 15	11,764,729 58
Average rate per annum of interest on funded debt..	5, 6 and 7 per cent.	5, 6 and 7 per cent.
Number of shares of ordinary stock.....		200,000
Number of stockholders.....		6,124

The cost and equipment of this road was \$28,363,-874.78, of which \$1,215,000 is invested in locomotive engines and fixtures; \$408,000 in passenger

and baggage cars; \$1,443,400 in freight and other cars; \$1,182,731.13 in bridges. It has 244 locomotives, 229 passenger cars, 5,437 freight cars.

#### CHARACTERISTICS OF THE ROAD.

	LENGTH IN THIS STATE. MILES.	LENGTH OUT OF THIS STATE.	TOTAL LENGTH. MILES.
Main line of road from Albany to Boston.....	39.30	162.35	201.65
Main line laid.....	39.30	162.35	201.65
Branches owned (built).....	17.33	81.25	98.58
Lines leased (built) or operated.....		74.03	74.03
Total main line (laid), branches owned, and lines leased or operated.....	56.63	317.63	374.26
Second track on main line.....	39.30	162.35	201.65
Second track on branches owned, or lines leased or operated.....	1.00	8.22	9.22
Total second track.....	40.30	170.57	210.87
Third track on main line.....		8.36	8.36
Fourth track on main line.....		8.35	8.35
Total third and fourth tracks.....		16.71	16.71
Sidings and turnouts on main line.....	24.81	125.05	149.86
Sidings and turnouts on branches owned, and on lines leased or operated.....	6.99	38.72	45.71
Total sidings.....	31.80	163.77	195.57
Aggregate of all tracks on main line, branches owned and lines leased or operated, including all sidings and turnouts.....	128.73	668.68	797.41

Expenses for operating the road for the year 1883, including expenses for specific purposes, \$3,205,358.65. Of this sum \$161,740.06 was paid conductors, baggage and brakemen of passenger trains, and \$345,879.10 to freight conductors, baggagemen and brakemen; \$795,383.49 was expended for fuel; \$61,328.08 for oil and other lubricants and waste; for loss and damages of goods and baggage, \$10,342.89; for damages to property, including damages by fire and cattle killed on road, \$7,116.73; for damages for injury to persons, \$17,259.61; for stationery and printing, \$33,560.05; advertising, \$6,268.44; legal expenses and counsel fees, \$12,685.11; telegraph services, \$17,402.20.

Total earnings of the road, \$8,539,875.88. Charges against these earnings, including dividends dated quarterly and rate eight per cent per annum on all stock, except that owned by the State of Massachusetts, for which was given in exchange, \$3,858,000 five per cent. bonds, \$1,407,100; making all charges against earnings \$8,303,904.07, leaving a surplus for the year of \$235,971.81.

Of the 8,079,072 passengers carried over the road during the year 1883, not a person was killed or injured. Of the 3,411,324 tons of freight carried, but a small per cent. of the same was injured.

#### WEST SHORE RAILROAD.

This railroad is properly the New York, West Shore and Buffalo Railroad. For a long time the project of building a road along the west shore of the Hudson, from Weehawken, through Albany, and thence westward to Buffalo, was considered. But the difficulties of construction, especially along the Hudson, were so great, that the plan was delayed until some time in 1880, when it took

definite and active form, and June 14, 1881, it received its charter. It was prosecuted with such vigor, that on July 9, 1883, it was opened for passengers to Albany, and on January 1, 1884, it was opened to Buffalo. Albany is connected with the main line by a branch from Coeymans, a distance of twelve miles south. It is 407 miles by the road from Weehawken to Buffalo. There are, at this writing, 135 locomotives, about 70 passenger cars, and over 3,234 freight cars. The depot of this road is at the foot of Maiden lane, at the Delaware and Hudson River Canal Company's Depot.

During most of the year of 1884-5, through the sharp competition between railroads, resulting in what was termed a "railroad war," rates for passengers were cut to such an extent, that but one cent per mile was charged on all railroads leading out of Albany. The "war" was closed in the Autumn of 1885, and the West Shore is now said to be under control of Wm. H. Vanderbilt, and running as before at the old rates.

#### RAILROAD DEPOTS.

With all the railroads passing in and out of Albany, there are really but two depots in the city. The Central and Hudson River and the Boston and Albany Railroads occupy the Union Depot just north of Maiden lane and east of Broadway. The Rensselaer and Saratoga, the West Shore, and the Susquehanna division of the Delaware and Hudson Canal, have their depot at the foot of Maiden lane. The cars of the latter pass the steamboat landings, and during river navigation, passengers desiring to take the boats leave the train. The West Shore trains arrive at and depart from the depot at the foot of Maiden lane.

## EXPRESS BUSINESS IN ALBANY COUNTY.

IN the early history of this county we find pack-horses, then lumbering wagons, and then stage-coaches drawn by four, six or eight horses, were the usual vehicles for transportation. The cross-road post and the village or country tavern served as package offices. These, in time, were superseded on certain lines by the steamboat and canal boat. Then the advent of those more formidable rivals, the railroads, wrought a change truly marvelous.

For many years the stage-coach served as a "carry all," the driver of which was employed to perform many errands, and empowered to transact important commissions of trust, including a multitude of messages, bills to collect and money packages to deliver, for which trouble he received a very small perquisite. It may be recorded to their credit, that for honesty and faithfulness, few men have a better record. There are no authentic cases in which they proved recreant or dishonest

in the performance of the trust committed to them.

Before the introduction of railroads, the stage-coach lines that centered in Albany were numerous, and considered among the most useful and even necessary institutions contributing to the business interests of the city. These lines extended in all directions. Every post-road and turnpike was a mail-route. The inhabitants of every village and hamlet anxiously waited for the arrival of friends, of the mail, and of important messages and packages by stage.

The stage-coach and carrier of the post were as indispensable then as the steamboat, railroad and express systems are now. But their rough life and hard experience was a source of excitement. The stage-driver was a jolly, jovial Jehu, with his four-in-hand team, the envy of all the bigger boys. In the important positions they occupied, they were as proud of their "rig," as the modern locomotive engineer is of his seventy-ton engine, or the conductor of his lightning express or palace-car train. Now their swinging throne and exalted occupation are gone.

Providence seems to govern all things for man's welfare. The inspirations that bring forth such marvelous inventions as the whole system of railway and steamboat locomotion, the telegraph and ocean cable, the telephone and electric light, may be regarded as of more than human origin.

To William F. Harnden belongs the credit of recognizing a public want before the public had any definite idea of what that want was; and not merely recognizing it, but going practically to work with energy to supply it.

He was the beginner and earliest practical worker of an institution which, for rapid growth and business importance, is without a parallel.

The package express of modern times was unknown until Harnden started it in 1839; although special expresses for the transmission of important private and public intelligence have been in use, occasionally, for hundreds of years past.

Special expresses for the conveyance of important public news were sometimes employed by enterprising newspaper proprietors, as in the case of the Websters, early journalists of Albany.

The origin of the express, as an institution, was brought about by the introduction of the railway, which made a revolution in former methods. Business men began to require a more rapid and safe delivery of valuable packages and sundry parcels.

The old way demanded large confidence, and sometimes became a burden and an inconvenience

to friends and acquaintances. There are now living those who well remember how anxious men were to send by some friend going to New York or Boston, parcels of bank notes, drafts, bills collectable, or other valuables; and it was expected to be cheerfully performed as a favor. Mutual confidence among men at that time prevailed; misappropriation was almost unknown; embezzlement was punished; and honesty generally regarded as necessary to respectability.

William F. Harnden in the spring of 1834, was conductor on the first train of the Boston and Worcester Railroad. He continued to serve on this road until the close of the year 1838. Weary of working sixteen hours a day, he told his friend "Jim" Hale, one day, that the confined employment of the past years had injured his health, and he was determined to seek some more active business. James W. Hale, the originator of cheap postage between Boston, New York and Philadelphia in 1837, and in a measure the father of the express business in this country, is now "hale" and hearty at 84 years old. Hale advised him to do errands between New York and Boston; that there was an urgent want of a parcel express which would command the patronage of all classes of business men. He at once secured facilities and a contract on the Boston and Providence Railroad.

Little did Harnden, or any other living man, dream what immense results his humble express was leading to.

The earliest public hint of this enterprise is contained in a Boston Newspaper, dated February 23, 1839, in which Harnden advertises: "He will accompany a car himself for the purpose of purchasing goods, collecting drafts, notes and bills, delivering packages, bundles and forwarding merchandise, etc."

The "extra car" was a little play of fancy; an ordinary valise serving to hold all that the original expressman had to carry for months after this time. The identical valise is now in the possession of Benjamin P. Cheney, Boston. For the first few months, Harnden served as his own messenger; but business soon increased so that he was obliged to extend facilities and employ help.

The burning of the Lexington on Long Island Sound, January, 1840, was a bitter experience to this enterprise.

In 1842, Harnden was upon the top wave of popularity, and his lines began to reach in all directions. When Henry Wells had urged upon

him, a year or two before, the importance of extending his line to Albany and Buffalo, and thence Westward, Harnden replied: "Put a people there, and my express shall soon follow."

#### THE AMERICAN EXPRESS COMPANY.

In 1841, or a little earlier, Henry Wells, agent of Harnden at Albany, suggested to George Pomeroy that it would pay to start an express from Albany to Buffalo. Pomeroy made three trips. His express had been relinquished for some time, when Crawford Livingston proposed to Wells that he should join him in resuming the enterprise. Wells consented, and Pomeroy & Co.'s Albany and Buffalo Express was established. Its transportation at that time was by railroad to Auburn; thence by stage, twenty-five miles, to Geneva; thence by Auburn and Rochester Railroad to Rochester; thence to Lockport, sixty miles, by stage; thence to Buffalo, thirty miles, by private conveyance; from Rochester to Batavia, thirty-four miles, by Tonawanda Railroad; and thence to Buffalo, forty miles, by stage. The trip was made once a week, and occupied four nights and three days. It is now accomplished in about nine hours.

About 1843, Pomeroy & Co. commenced running a Hudson River Express. They had for competitors Pullen & Copp. This continued only a few months, when Pullen & Copp gave up the Albany and Western business, acting as messengers on the Troy route for Pomeroy & Co.

In the winter of 1843-44, Harnden & Co. sold their Philadelphia Express to George Hatch & Co., who run it for a short time and then sold it to Johnston and William A. Livingston. In a month or two the latter sold out to the former and went to Albany, where William A. Livingston engaged in the express business.

About 1844, the firm of Livingston, Crawford, Wells & Co. was established. This firm continued until the latter part of 1846, when W. A. Livingston bought the Wells interest in the Western Express, and Livingston & Fargo became a company. W. A. Livingston acted for many years as the agent at Albany for Livingston, Wells & Co.

About this time Henry & Co.'s Express started a short-lived business upon the Albany and Buffalo route.

Crawford Livingston died in 1847, aged thirty-four; Harnden died January 14, 1845, aged thirty-three.

In the autumn of 1849, an opposition express was started over the New York Central Railroad

by Butterfield, Wasson & Co. James D. Wasson was then postmaster of Albany. Both partners had formerly been stage proprietors.

The American Express Company as now existing, is a consolidation of Wells & Co., Livingston & Fargo, and Butterfield, Wasson & Co. These were merged into Wells, Butterfield & Co., and Livingston, Fargo & Co., which comprise the joint stock concern of 1850. It was then valued at \$500,000.

In 1854, the United States Express Company suddenly started into existence as a joint stock company; but after a few months it was merged in the American.

The present United States Express Company was organized in 1854, with a view of doing business on the New York and Erie Railroad. This railroad company for a time transacted its own express business; but in August, 1858, transferred its express to the United States Express Company, which had no operations east of New York. Another, called the United States and Canada, which transacted an express business from Albany to points East and West, in June, 1882, united with the Erie and New England Express from Boston to Binghamton, over the Fitchburg Railroad, via Hoosac Tunnel, and the Delaware and Hudson Canal Company. In June, 1883, the United States and Canada Express passed into the hands of the American, while the United States withdrew, June, 1885, in favor of the National Express Company.

The Merchants' Union was consolidated with the American, December 1, 1868, and had an office in Albany, southwest corner of Broadway and Maiden lane during its existence there. Mr. D. T. Hunt was agent.

#### THE NATIONAL EXPRESS COMPANY.

The original projector of this excellent company was J. A. Pullen. He was an early and efficient aid of Harnden, and served as messenger in 1842, between New York, Albany and Troy, via the Hudson River steamboats.

In the winter of 1843-43, Harnden having sold out his Hudson River Express, Pullen & Copp started a like business from New York to Albany, Troy, and Saratoga Springs. At this time Pomeroy & Co. were doing business between Albany and Buffalo.

In 1844 or 1845, these two companies made a division of their routes, Pullen & Copp taking Troy, north; Pomeroy & Co., Albany, west. Copp retired and Major Pullen took E. L. Stone as a partner. In 1843, Mr. Jacobs had started an express from Albany to Montreal. E. H. Virgil acted as

his messenger and agent for about a year, and then, in company with N. G. Howard, purchased Jacobs' interest. Its route was by packet boats or stage from Albany to Whitehall; thence, north, by other conveyance. It connected at Troy and Albany with Pullen & Co. Early in 1844, H. F. Rice bought Howard's interest, and the firm became Virgil & Rice. Soon after it changed to Pullen, Virgil & Co.'s Express. Office in Exchange Building.

Upon the opening of the Albany Northern Railroad in 1845, Robert L. Johnson and others established a northern express, under the style of Johnson & Co., from Albany to Rutland. This enterprise came in competition with Pullen, Virgil & Co. In the spring of 1855, it became a joint stock express under the style of the National Express Company. E. H. Virgil, of Troy, was superintendent of the routes, and Robert L. Johnson, agent, located in Old Exchange Building. At the present writing, in 1885, the record of this company in the county is as follows: Commenced business in 1849 in the Exchange Building, the ground now occupied by the Government Building; in 1873 removed to the corner of Maiden lane and Dean street, in a large, capacious building owned by the company, in which are their several offices. James W. Hutt, General Superintendent; George W. Slingerland, Assistant Superintendent. The railroads upon which this company does business to or from Albany are the Rensselaer and Saratoga; Albany and Susquehanna; New York, West Shore and Buffalo. There are, in the county, twenty-six offices, one hundred and twenty-eight employees, and twenty-two horses in daily use.

#### THOMPSON & CO.'S WESTERN EXPRESS

Was commenced in 1841 by William F. Harnden. Its route was from Boston to Albany, and its original agent in Albany was Henry Wells. In 1844, Harnden & Co. sold this Western Express to James M. Thompson, its agent. The new proprietor was shrewd, systematic and persevering. E. Lamb Stone, Thompson's earliest agent in Albany, was succeeded in the autumn of 1844 by Robert L. Johnson, then only seventeen years old. He had been, for a year or two, a clerk for Pomeroy & Co.'s Express. When, in May, 1845, Thompson & Co. occupied the same premises, Exchange Building, in Albany, he acted as their agent. In 1847, R. L. Johnson, the Albany agent, started an express between Albany and Troy, over the Troy and Greenwich Railroad, acting as his own messenger.

He continued in this service until the spring of 1853, when he was taken into the partnership of Thompson & Co. This company connected at Albany with the American Express Company, and Johnson acted as agent.

The Albany, Springfield and Boston route was sold to the American by J. M. Thompson, R. L. Johnson and William N. Melcher in 1861.

#### HOWARD & CO.'S EXPRESS.

N. G. Howard was agent for Harnden & Co. at Albany in the summer of 1843. In the following year he became associated with E. C. Bailey, under the style of Bailey & Howard. Harnden, desirous of connecting at Albany with some other express than Pomeroy & Co., brought into existence Bailey & Howard, which firm soon dissolved. Shortly after abandoning his Albany and Buffalo enterprise, Howard joined E. H. Virgil in running an express between Albany and Montreal. This proving uphill work, Howard accepted an offer from Harnden to take charge of the Philadelphia office, which he did in the spring of 1844.

In 1866 The Merchants' Union Express Company was organized as a stock company of prominent men, with a large capital. This proved unsuccessful, and the company was consolidated, December 1, 1868, with the American, under the name of The American Merchants' Union Express Company. This name was retained until February 1, 1873, when it was changed to

#### THE AMERICAN EXPRESS COMPANY.

By these consolidations, and the vast growth of its operations in the Far West, the capital of the American was increased to \$18,000,000. Its managing forces were augmented by the accession of Messrs. Theo. M. Pomeroy, General John N. Knapp and William H. Seward, and two other business men of capital, enterprise and approved judgment, thus rendering it without a superior among the mercantile institutions of America.

The American Express Company doing business in Albany County is largely the growth from seed sown by such men as Henry Wells, Crawford Livingston, William A. Livingston, R. L. Johnson and George Pomeroy. More than two-score years ago, in 1841, when Harnden induced Henry Wells to serve him as agent, Wells, then young, sanguine, full of energy and willing to work, fixed his headquarters in Albany. He became associated with George Pomeroy and Crawford Liv-

ingston, in 1842, in the Hudson River Express, and having been an agent and runner for the river steamboats, he was well schooled for this special enterprise and proved a valuable partner. Crawford Livingston at this time was a coal merchant, with only a few hundred dollars at his command. With his associates and unremitting hard work, he commanded respect and was in a measure prosperous. Pomeroy and Wells had, so far, served as the two messengers of the concern, having a desk in the Exchange Building, where the first express business was transacted in this city. Many years afterwards it was a daily scene of hurry and commotion. Dispatch and delivery were executed promptly. Crawford Livingston was on hand here daily, a most indefatigable agent, clerk and manager, his firm representing both Pomeroy & Co. and Harnden & Co. Samuel Carter became assistant agent in this office. Crawford Livingston removed to New York to take charge of the business of the new firm of Livingston, Wells & Co., William A. Livingston taking his brother's place in Albany. Soon after this, in 1844, the Western Express Forwarders became identified with a new force, the late William G. Fargo becoming resident partner and manager at Buffalo, assisted, subsequently, by his brothers, James C. and Charles Fargo. The Western Express firm name was Livingston, Fargo & Co., its style in Albany being originally Livingston, Wells & Co., and after Crawford Livingston's death, in 1847, Wells & Co. "Robbie" L. Johnson at that time was label boy and general helper in the Albany office. He was a bright, rosy-faced, energetic, honest little fellow, and grew into great popularity and prosperity in the express service in Albany. He became a partner and local agent for Pullen, Virgil & Co.'s Troy and Montreal Express, now the National Express Company; also partner of Thompson & Co. Mr. Johnson was a man remarkable for his strict integrity, great financial and executive ability, and superior business qualities. In his social relations he was respected by all, a worthy citizen of whom Albany was proud. He died here a few years ago. The agents who have served the American at Albany since the beginning, in 1842, have been Henry Wells, Agent of Harnden's Boston and New York Express and Pomeroy & Co.'s Hudson River Express, which were merged in Livingston, Wells & Co. in 1843, with Crawford Livingston as Agent; in 1845, William C. Spencer was Agent. In 1850, Butterfield, Wasson & Co.'s Express was consolidated with it, under the corporate name of The American Express Company. Henry Wells was President; John

Butterfield, Vice-President; William C. Fargo, Secretary; and Alexander Holland, Treasurer, who served for thirty-five years.

The Superintendent of the New York State Eastern Division of the American, M. B. White, long resided at Albany. He was, in October, 1867, succeeded by E. H. Sly, who as clerk, messenger, and line superintendent or route agent between Albany and New York, resided here. For a year past C. W. Selleck has served the company in like capacity. It has headquarters on the second floor of the Express Building, corner of Broadway and Steuben streets. John L. Van Valkenburgh, who was first employed by the company in March, 1863, succeeded Mr. Sly as superintendent, February, 1874. He is still the highly esteemed, popular and faithful agent of the popular American, with a force of fifteen clerks, forty messengers and general supervision. The business requires the services of twenty-four horses, twelve drivers, and other helpers as needed.

The business of this company was originally from Albany to New York City by the river, and extended to Buffalo, via several short railroads and stage lines, in 1845. Now, and for thirty-five years past, it is making full use of the Hudson River Railroad and the New York Central, with their connections, and the Boston and Albany Railroad. It has exclusive control of 34,417 miles of railroad, 4,718 offices and 7,053 employees.

Other line superintendents are or have been A. G. Nickerson, J. Schermerhorn, H. M. Dwight, and John B. Prentiss, with headquarters at Syracuse.

The American is fortunate in retaining the best of its employees, and when, after many years faithful service, they decline into the sear and yellow leaf, and, unfitted for the active duties of expressmen, become superannuated, the company accords them pensionary support adequate to their necessities, and respects them for their past fidelity and usefulness. Among this class in Albany, the most worthy of honorable mention are Andrew Weatherwax and B. P. Wheeler, who have served as express messengers thirty-two years each. Alexander Stone, in the American's service twenty-five years, is still on a money wagon, performing daily duty, greatly respected by the company and its many customers in this city.

The writer is specially indebted to A. L. Stimson and John L. Van Valkenburg for kindly giving aid and counsel in making up this express history.

## BAGGAGE EXPRESS.

This branch of business was begun in Albany as early as 1868, by Ransom Garrett and Thomas H. Wygant, from and to the railroad and steamboat depots. Wygant & Co. have been represented by T. H. Wygant, T. B. Morrow and George Hendrickson. The firm is now composed of T. H. Wygant and George Hendrickson. Baggage is received, delivered or transferred, at small expense, to the several railroad depots, steamboat landings, hotels or private residences in any part of the city. Agents pass through the principal and express passenger trains when nearing the city, collect checks, and upon arrival deliver the baggage with promptness. They also answer calls by telephone and receive orders by call books in the baggage-rooms of the differ-

ent depots and several designated places in the city. The charges are : Inside of Lark, Arch and Livingston avenues, thirty cents for a single piece of baggage, and twenty-five cents for each additional piece, and special rates for combinations, with charges according to distance, beyond specified rates. Union Depot, Delaware and Hudson Canal Company and West Shore Railroad Depots are the principal offices. The company employs fifteen persons and thirteen horses. Connected with their business is a boarding stable located at 46 Spencer street.

The Albany Five Cent City Express is located at No. 8 James street and does a good business.

The Cohoes, Troy and Lansingburgh Express has an office at 74 State street. It transports merchandise, etc., by wagons.

## TELEGRAPH BUSINESS.

THE City of Albany is very intimately connected with the early history of telegraphy. Perhaps, with the exception of S. F. B. Morse, no one performed a more important part in discovering the means of transmitting intelligent sounds through wire by magnetic force than Joseph Henry, a native of Albany, who from 1826 to 1832 was one of the professors in the Albany Academy. It was in an upper room of the academy building that Henry first demonstrated the theory of the telegraph, by the transmission of the tones of a bell through a mile of wire strung around the room. It has been well said : "The click heard from every joint of those mystic wires which now link together every city and village all over this continent, is but the echo of that little bell which first sounded in the upper room of the Albany Academy." Professor Henry had long been a sanguine believer that electricity would ultimately accomplish all it has in the transmission of sound, and as early as 1829, by successful experiments, had discovered many of the fundamental principles of telegraphy. An article on this subject written by him, and published in a scientific journal in 1831, attracted much attention. In fact so many important discoveries on this subject were made by Professor Henry, that some of the scientific men of to-day regard him as the originator of the underlying principles of the Morse system of telegraphy. The relationship between Henry and Morse was close and intimate, as revealed by the friendly corre-

spondence between them on a subject so dear to both, a number of years prior to Morse's well-known triumph in 1844. From Professor Henry, Morse admitted having not only received much encouragement, but much practical assistance. Our venerated townsman, Professor Philip Ten Eyck, once a professor in Albany Academy, well remembers Professor Henry's experiments and the assistance he rendered.

After Morse had demonstrated the success of his experiments, by sending a message over a wire stretched from Baltimore to Washington in 1844, it was not long before men of capital began to take hold of the scheme.

Prominent among the men in this State to become interested in the new telegraph enterprise in 1845, were Theodore S. Faxton, John Butterfield and Hiram Greenman, three men well known in Albany at this time as pioneers of the old stage line through central and eastern New York. They went to Washington, and with the utmost care made themselves familiar with all the details, and formed a favorable judgment of an invention then but little understood, and looked upon with incredulity. Early in June, Mr. Butterfield closed a contract with Mr. Kendall to erect a line of the Morse telegraph between Springfield, Mass., and Buffalo, via Albany, and from Albany to New York.

July 16, 1845, an association was formed in Utica to construct the Springfield, Albany and Buffalo Telegraph Line. Trustees were appointed.

These were Theodore S. Faxton, John Butterfield, Hiram Greenman, Henry Wells and Crawford Livingston. The capital was fixed at \$200,000, with power to increase it to \$250,000. The trustees became the contractors to construct the line, which was to consist of two copper wires.

At this time this enterprise was looked upon as foolish and impracticable. Steps were soon taken to prove it could be made of practical utility. In September, 1845, a wire was stretched from Utica to the fair grounds, and the successful working of the system was regarded with wonder and amazement. November 7, 1845, a wire was run from Buffalo to Lockport, being the first line opened in America for regular commercial business. Meanwhile the State was canvassed and a fair subscription secured. No interest was taken, strange to say, by Albany capitalists in this movement.

The first section of the new line was built between Albany and Utica. To this Mr. Faxton devoted his whole time. In this city, where he was well known, he did not receive much encouragement; some of his friends even laughed at what they considered his foolish zeal, and predicted naught but failure.

The line between Albany and Utica was finished and ready for business, January 31, 1845. The Albany office was located in the old Exchange Building, and was under the management of O. S. Wood and S. P. Carter. The opening of this office caused great excitement in the city. The newspapers of that day show how intensely the people were moved. One of the earlier feats of these primitive times was to telegraph from Albany to Utica the New York news brought up by the Albany boats which arrived in Albany in the morning.

The line from Albany to New York was completed July 3, 1846; to Hudson, October 28, 1846; Troy, August 7th; Syracuse, May 1st; Auburn, May 25th; to Geneva, November 9th.

When the office was opened in Rochester, June 1st, the whole city seemed in a general excitement. The papers gave glowing descriptions of the machinery and the influence which the telegraph was to exert on human history.

Connection was made with Buffalo, July 3, 1846; and the whole line from Buffalo to New York completed September 9, 1846.

January 5, 1847, Governor Young's message of 5,000 words was sent from Albany to New York in two and one-half hours by W. C. Buel and John Johnson. This was regarded as a wonderful performance.

During the winter of 1846-7, a severe sleet storm nearly demolished the wires from Albany to Amsterdam, and from Troy to Hudson, suspending operations for six weeks. The comparative strength of iron and copper wire to withstand the force of a severe storm was then demonstrated in favor of iron wire, now in universal use.

May 1, 1847, when the Albany office had been removed to the Delevan House, Mr. Carter, the manager, while receiving a message from Utica, found the paper had become twisted. As he with difficulty attempted to translate, W. C. Buel, the assistant manager, who was sitting near, said: "I think Utica asks 'if the nine o'clock train has arrived.'" Scarcely knowing how the intelligence came to him, Carter was much astonished to find it correct. Mr. Ten Eyck, of the *Evening Journal*, who was present, made the incident the subject of an article, which was extensively copied, even in Europe. Thus Buel is justly claimed to be one of the original sound readers.

The success of the Springfield, Albany and Buffalo Company awakened opposition. About two years after the establishment of this line, the House State Printing Telegraph Company constructed a line from New York to Buffalo by way of Albany, and opened an office in this city in the Exchange Building; but subsequently removed to the old Museum Building. The method of receiving messages by this company was somewhat different from the Morse system, which at this time consisted of certain signs punctured on white paper, to be translated by the operator. By the House method the messages as received were printed in Roman characters, the wires being connected with a type machine, with alphabetical keys similar to the present type-writing machines. A short time after the House Company became established, the Merchants' State Telegraph Company was constructed from New York to Buffalo. This company used what was known as the Bain patent. The existence of this line was mainly owing to the exertions of Henry O'Reilly, of Rochester, and by his name the company was generally known. Its office in this city was in the old Museum Building. This line was run as an opposition line to the Springfield, Albany and Buffalo Company and the House Company, until 1852, when it was consolidated with the former company.

In 1857, the American and the New York, Albany and Buffalo lines were formed. The latter company at this time purchased the property and rights of the House Printing Company. The office

of the American was located at 450 Broadway, and in 1864, removed to the corner of State and Broadway. It had connections with Boston, Providence, St. Johns, Pittsfield, Springfield, Hartford, Portland, Halifax, and intermediate places, with connecting lines to all other parts of the Eastern States and the British Provinces.

From 1864 to 1866, the United States Telegraph Company had an office in this city in the Exchange Building.

In 1864, the Western Union Company was formed. It was originally a Western line, known as the Mississippi Valley Telegraph Company, its lines running from Mississippi to Buffalo. In the same year it purchased the New York, Albany and Buffalo line, and the Springfield, Albany and Buffalo line, which, from 1845 to this date, had an office in this city. Thus was opened up a direct communication between the West and New York City. The central office in Albany was located in the old Museum Building, under the management of George B. Prescott. Up to the time of the sale of the Springfield, Albany and Buffalo line to the Western Union, its affairs had been managed in this city, besides those already mentioned, by C. S. Cutler, J. R. W. Johnston, S. C. Rice, E. S. Keep, C. S. Jones, M. L. Morgan and Fred H. Lawrence.

In 1866, the Western Union purchased the United States line, and from this time to 1870, when the Atlantic and Pacific line was constructed, had a monopoly of the telegraph business in this section.

The Atlantic and Pacific Company's office was first located at 463 Broadway, and afterwards removed to 444 Broadway, with branch offices in the Lumber District and at the Capitol.

In 1877, this company was consolidated with the Western Union. The Western Union had no other competing line in this city until the American Union line was constructed in 1880, with an office at 444 Broadway. But this company was in existence but a short time, when it was consolidated with the Western Union.

In 1882, two competing lines were constructed, with offices in Albany, the Mutual Union and the American Rapid. The former opened an office at

462 Broadway and the latter at the corner of State and James. Neither existed as a separate company more than a year, the Mutual Union becoming consolidated with the Western Union, and the American Rapid being leased to the Bankers' and Merchants'.

In 1884, the Bankers' and Merchants' and the Baltimore and Ohio opened offices in this city, the former at 444 Broadway and the latter at 462 Broadway. The Bankers' and Merchants', a short time ago, was sold to the United line. Its office in this city is now under the capable management of J. H. Rugg, who for many years has been connected with the telegraph business in Albany. The Baltimore and Ohio in this city is under the management of E. J. Slattery. This company has branch offices in this county at West Troy and Coeymans. The central office of the Western Union in this city is located in the old Museum Building at the corner of State and Broadway, with branch offices at the Capitol, West Albany, Delevan House, Union Depot, Lumber District, People's Line Office, Delaware and Hudson Canal Railroad Office, and at the Kenmore Hotel. Outside of this city, within the county, it has offices at West Troy, Cohoes and Coeymans. Its local management is under F. W. Sabold.

In 1871, the New York Central and Hudson River Railroad and the Delaware and Hudson Canal Company constructed a line of telegraph along their respective roads and opened offices in this city. These lines are still in use, but only for the accommodation of the respective railroad companies, and not for the general public.

The American District Telegraph Company, chartered in 1875, is simply a local telegraph line, with messenger service for the City and County of Albany. It went into operation in 1876, with a central office at 444 Broadway, afterwards removed to 468 Broadway. It is now owned by the Commercial Telephone Company, under the management of A. B. Uline.

The Capital District Telegraph Company, similar to the American District, went into operation in this city in 1881, with a central office at No. 100 State street, and is now under the management of W. H. Hamilton.

## THE TELEPHONE AND MESSENGER SERVICE.

THIS comes from one of the most recent and remarkable inventions which contribute to man's innumerable wants. In this county it was the outgrowth of the American District Telegraph Company, located in the City of Albany, and chartered in November, 1875. It began operations in February, 1876, by instituting messenger service, which has been, in part, superseded by the telephone.

The American District Telegraph Company made a contract with the Bell Telephone Company, of Boston, for the use of the latter's instruments, in March, 1878, and in May established a telephone exchange in Albany, with about one hundred subscribers. The Albany District Company controlled the business until July, 1879, when the Commercial Telephone Company began operations in the city.

The owners of the Commercial Company obtained control of the American District in November, 1880, and the two companies were consolidated in January, 1881, under the name of the Commercial Telephone Company.

This company was located at 468 Broadway (Van Heusen & Charles' Marble Building), with branches at 68 Washington avenue and corner of South Pearl and Hamilton streets. The officers were: Henry R. Pierson, President; N. D. Wendell, Treasurer; J. L. Van Valkenburgh, Secretary; A. B. Uline, Manager.

The Hudson River Telephone Company began operations in 1883, and are now the owners of the Commercial Company, with lines and communication extending to the following places in the county: The Abbey, Berne, East Berne, West Berne, Cedar Hill, Coeymans, Clarksville, Cohoes, Green Island, Hurstville, Chesterville, Londonville, Menands, Potter's Hollow, Slingerlands, Sloans, West Albany, West Troy, Watervleit Centre, Newtonville, New Scotland, Delmar, Rensselaerville, Bethlehem, Guilderland, Preston Hollow, with about 2,000 stations or instruments distributed in the city and county. The employees number about one hundred.

The officers of the Hudson River Company are: J. Bigler, President; H. L. Storke, Secretary and Treasurer; A. B. Uline, General Manager. Directors: J. Bigler, H. L. Storke, A. B. Uline, C. S. Beardsley, D. A. Smith, A. O. Morgan, Theo. N. Vail. General office, No. 468 Broadway, Albany. Branch offices: 68 Washington avenue and corner South Pearl and Hamilton streets.

The Messenger Service, beginning here in 1875, under the American District Telegraph Company, has been fully identified with the business interests of the city as one of its very useful, almost necessary modern conveniences. The system adopted is for each subscriber to have a box, and by pulling down a crank, a number peculiar to that box is recorded at the office, which is answered promptly by a uniformed messenger boy. This method is still used to some extent, the telephone in a great measure taking its place. The Commercial Telephone Company became the owners of the American District Telegraph Company, both of which are now owned by the Hudson River Telephone Company. From forty to sixty boys are employed. Boxes are placed at convenient locations free of cost, subscribers paying only for service. The rates are: For 30 minutes or less, 10 cents; 30 to 45 minutes, 15 cents; 45 to 60 minutes, 20 cents; each continuous hour after the first, 15 cents. The boys are called to perform all kinds of errand work. They distribute invitations, wedding cards, circulars, packages, etc., etc. Offices for this service are at the Hudson River Telephone Company's offices. This company now controls all the territory from New York City to Clinton County east to the State line, and west fifty miles along the Hudson River to Jersey City. It is the only company operating from this city or in the county.

In 1880, the Construction Telephone and Supply Company contracted to build lines and exchanges throughout the State. A. B. Uline, President and Manager; W. B. Butler, Secretary and Treasurer. This was finally purchased by the Bell Telephone Company, of Boston, and afterward sold to the Hudson River Telephone Company.

## AGRICULTURE IN ALBANY COUNTY.

AGRICULTURE, or the cultivation of the soil, is the first and one of the most important occupations of the human family, having been instituted and blessed by the Creator as soon as the earth was ready for man's habitation. Then was the command given that by the sweat of his brow was man to earn his bread. Agricultural art is a factor in molding human events and in adjusting the interests of communities. Its rational pursuit is not incompatible with the highest intellectual attainments and the best development of the individual citizen and of the public service.

Many of the sciences are useful servants of agriculture, and the most learned often become its most skilled exponents.

The energies of the thrifty husbandman lead to substantial comforts, and no one better deserves and enjoys the luxuries of life.

In the early settlement of this county, its agricultural inducements were not very inviting. For many years, little progress was made in this direction. The land was covered with a heavy growth of trees that required to be felled and removed before the soil could be planted and tilled. Sturdy blows from the pioneer's ax cleared the forest for an opening upon which to erect his log cabin and extend his fields for culture. Here, too, he was met by Indians and wild beasts—enemies cruel, treacherous and savage, which were to be tamed or subdued. In these days the settler and his family experienced the greatest hardships and difficulties. Useful implements and other conveniences were needed, the lack of which made his labor burdensome and of slow progress. Another and, perhaps, greater want was that of domestic animals, then introduced only to a limited extent for food or for assistance in the daily demands of labor. The poor man dwelt in his cabin-home and patiently wrought, with spade and grub-hoe, a scanty subsistence from the soil. The native forest furnished him with wild game and the streams an abundance of fish.

Nine-tenths of the farmers of that day commenced life bare-handed, as tenants or in debt for land, with small means for purchasing stock, implements or necessities. Yet they possessed rugged constitutions, a determined spirit, and a will to

labor. None knew, from hard experience, better than these farmers and their wives, the necessity of self-denial, unflinching industry and careful economy, in their heroic struggles to secure a home and rear a family; nor the firm reliance and strength-giving trust in God and each other needed to sustain them through the long years of discouraging trials and unceasing toil.

There were conditions and unfavorable surroundings which attended these early adventurers in their choice of occupancy. Many of these early farmers were unused to labor of this kind, having been engaged by the West India Company as traders or servants. But dependence on this was not proving permanently profitable to the Dutch boor. He at first selected lands of easy culture near Fort Orange. Small beginnings were made. In time others followed, extending their possessions farther in the forest, seeking the best lands within easy communication. At the same time he held his trade with the Indians as well as he could for the benefit of the company. Farming was neglected in these early years and by these first colonists.

The West India Company, by their charter, had the right to navigate the rivers of New Netherlands; and in 1623 equipped a vessel of 130 lasts, called the *New Netherland*, whereof Cornelis Jacobs, of Horn, was skipper, with thirty families, mostly Walloons, to plant a colony. They sailed in the beginning of March, and in May entered the River Mauritius. Eight of these families came to Albany. But they came not as farmers.

In 1625 and 1626, "there arrived for New Netherlands, at Mauritius, 103 head of cattle—stallions, mares, steers and cows, hogs and sheep, for breeding and multiplying." Few, if any, were taken to Fort Orange. The Patroon charter of 1629, provided, that within four years, at least fifty persons over fifteen years of age, one-fourth of whom should be located within the first year, should settle in every colony. Early in the spring of the following year, a number of colonists with their families, and provided with farming implements, stock and other necessities, sailed from Texel and landed in safety at the Manhattes. In a short time afterwards some of them landed at Fort Orange, and were

soon furnished with farms, houses and other dwellings at the expense of the Patroon and his associates. Other colonists followed each succeeding season. Needful supplies of stores were kept by the agents of the Patroon and sold to the colonists. In 1644, Priest Jogues, says of Beverwyck: "There are twenty-five or thirty houses along the river, built of boards and thatched. They cultivate some land for their horses, of which they have a large stock."

Among the products cultivated were Indian corn, wheat, flax, hemp and tobacco. Sugar made from the maple was a substitute for cane-sugar. These articles were bartered with the agents of the company in return for foreign goods for household and domestic use.

There seems to have been very little progress made or interest developed in farming until after English rule in 1664, when a change in government brought some encouragement to the few tillers of the soil. Hardships were many; the winters were severe, with cold and snow; the travel was bad; the means of living scanty; the surroundings cheerless and exposed to dangers. From this time to 1700, the condition of the few colonists upon lands of the Patroon were not much improved, although some progress was apparent in the increased acres under cultivation, the additions to stock and the increased quantity of grain and other farm products. The few bushels of grain, or pounds of flax, hemp and tobacco that could be exchanged, were taken by the agent. In 1665, wheat, corn, or any sort of grain was not allowed to be transported from the city down the Hudson River. Some produce was exported in 1678. In 1680, when Dankers and Sluyter were in this county, wheat and rye were cultivated, and a trade with the West Indies was carried on. The soil of the farming lands was well adapted to the growth of every variety of grain, fruit and vegetables. The low lands along the streams furnished luxuriant pasture and abundant hay. Wheat, in 1692, was sold at four shillings per bushel.

The settlement of lands on the manor was slow. In 1714, there were only 427 white persons and 181 slaves. In 1719, there were very few leases in the hands of the settlers. As late as 1767, from a map made for the Patroon, the number of families on the west side of the river is given as 148. This number does not probably include those on the Coeymans and Slingerland patents of 1673 and 1685.

There were a few families of Bradts who had settled under the shelter of the Helderbergs,

along the Normanskill, and in the northeast part of the county. After the close of the Indian and French disturbances, there was a marked increase of permanent settlers throughout the county, some of whom had been soldiers, and now exchanged the sword and musket for the ax and plow. These men were bred farmers in their native land, and by industry and frugality became worthy citizens. The tenants of the Patroon brought their rent and surplus grain to his store-house at Albany. Shipments down the river were under his control. In 1770, there were several sloops trading at Albany, loaded with grain and other farm produce, evidence of growing prosperity of the farmers.

The period from 1780 to 1800, witnessed the change from war to peace; from foreign power to an independent government. It was a new era in the development of agricultural pursuits, as well as in social and political life.

During the hostile years of revolutionary war, the agricultural interests of this county were not materially affected. There were no serious conflicts between the contending parties nearer than Saratoga, and the farmers, many of whom remained at home, were ready and anxious to furnish needed supplies from their cultivated acres. After hostilities ceased, and peace spread her protecting wings over the valleys and plains of this region, new life and encouragement was assured to the practical farmer. Prominent men engaged in the work, and gave the results of their experience to others.

As early as 1784, an agricultural society was formed, and an annual fair for the sale of cattle was held in Albany. Chancellor Livingston, in 1790, introduced the use of gypsum as a fertilizer. In 1785, grain and other farm products were shipped from Albany; and in 1790, Capt. Bloodgood loaded a vessel with surplus local products, among which was a negro slave, the property of Mrs. Staats, which he sold in Antigua for fifty-one pounds. In 1794, trade in wheat and other grain was quite extensive. The yield was from sixteen to twenty bushels per acre, and it brought seven shillings a bushel. In 1799, it was sold at fourteen shillings a bushel.

Farming lands in the county began to be held, generally, by a class of men who brought experience and knowledge to practical farming. Wheat was the staple product, and the soil gave generous yield; rye, oats, corn, buckwheat, hemp, flax and root crops were cultivated. Sheep were a source of profit, as they could be kept on the new and unimproved lands. Neat-cattle, of native stock, were raised only for home demands. During the

war of 1812, wheat was sold for \$2.00 and \$3.00 per bushel.

This date marks another era of improvement in all branches of agriculture and domestic husbandry. Its interests, as connected with the prosperity of the State, enlisted the attention of public officials and all men of intelligence. Among the men most actively interested near this time, and deserving of special mention, were Matthew Bullock, De Witt Clinton, Solomon Southwick, Stephen Van Rensselaer, Jesse Buel, C. N. Bement, Ezra P. Prentice, Erastus Corning, Thomas Hillhouse, Christopher Dunn, and Proctor & Hawes.

Hemp and flax culture has almost or quite disappeared as a paying branch of farming. Cotton has, to a great extent, taken their place in domestic fabrics as being more readily obtained and more economic in the family. The rope-walk, spinning-wheel, and farm-house loom have nearly disappeared, and millions of dollars are now invested in machinery and factories employing thousands of operatives and producing millions of yards of woolen and cotton fabrics in this county.

The cultivation of hops has in a large measure been substituted for hemp and flax. Increased acreage is devoted to small fruits and garden products, now largely cultivated in the county. The near-by city markets consume the supply offered. These and the orchard products are a profitable source of income to the farmer. In 1865 there were produced in the county 46,585 pounds of hops, and in 1885, 250 acres were under culture, with an estimate of 150,000 pounds. The value of orchard products of all kinds, sold or consumed in 1879, was \$138,881; of market products, \$208,420.

Hay is one of the staple products, and for the past thirty years has been the main crop relied upon for prompt sales and largest returns. The hay crop of 1864 was 74,133 tons, and in 1879 it equaled 95,137 tons. Albany County has a territory extensive and varied enough; a soil suited to almost every variety of grain and vegetable, fruit and flower.

The grain crops in this county have been remarkably free from the ravages or destruction caused by the pests which sometimes commit fearful waste. The Hessian fly has never been troublesome. About 1833 the grain-worm and weevil made their appearance, and for several years were very destructive to growing wheat. This compelled farmers to abandon this crop altogether. Other grain was more largely cultivated; more acres were given to grass; more orchards were planted. For

the past twenty years there has been a steady increase in the acreage of wheat, with a fair yield. In 1864, the number of bushels harvested was 1,858, and in 1879, 23,128. All the usual cereals are grown in the county, and furnish a range for the rotation system. Rye produced in 1864, 114,785 bushels; in 1879, 158,600 bushels. Oats in 1864, 259,694 bushels; in 1879, 787,529 bushels. Corn in 1864, 159,200 bushels; in 1879, 296,145 bushels. Barley in 1864, 10,017 bushels, and in 1879, 17,952 bushels. Buckwheat in 1879, 211,225 bushels. Potatoes as a farm crop in 1879 amounted to 495,402 bushels.

Farm implements and machinery of improved invention are extensively in use.

The following items are taken from census returns for 1880: Value of all farms in the county, including fences and buildings, \$19,898,866. In 1865, the same were valued at \$16,966,583. Value of farming implements and machinery in 1865, \$797,486; in 1880, \$1,047,171. Estimated value of farm products sold or consumed in the year 1880, \$2,783,028.

The present condition of agriculture in the county is encouraging, and the average crops that contribute to the prosperity of the people will compare favorably to-day with other counties. Changes have been necessary to meet the demands of successful farming. Productive new methods, experimental systems, scientific investigations, and improved machinery have been introduced to make labor easier, to lessen cost, and to increase returns.

The better construction of farm buildings is an evidence that improvement upon the past has been made. Spacious mansions, beautiful farm-houses, and well arranged cottages, with barns, stables, sheds, and other necessary structures, all planned and finished with architectural skill, attest the owner's wealth and taste. His material prosperity results from an intelligent knowledge of the best methods for producing desired returns, which crown the laborer and reward him for his toil and perseverance. The key to unlock the golden treasure hidden in the earth is "first and last, lots of manure and lots of brains." The manure is the easier to get and the sooner to give out.

The following farm and agricultural statistics for Albany County are taken from the tenth census of the United States, 1880.

Total number of farms, 3,325; number less than 3 acres, 2; number of 1,000 acres, 1; average acres per farm, 92; value of farms and improvements, \$19,898,866; value of machinery and im-

plements, \$1,047,170; value of farm products, \$2,783,028.

Number of farms cultivated by owner, 2,635; number rented for fixed money rental, 381; number rented for share of products, 309.

Number of acres in county, 306,257; number of acres improved, 254,521; number of acres unimproved, 51,737; improved and covered by woods, 43,307.

Barley, acres, 1,077; bushels, 17,952. Buckwheat, acres, 14,774; bushels, 211,225. Corn, acres, 11,845; bushels, 296,145. Oats, acres, 30,169; bushels, 787,529. Rye, acres, 14,710;

bushels, 158,600. Wheat, acres, 1,652; bushels, 23,128. Potatoes, bushels, 495,402. Hay, tons, 95,137.

Whole number of horses, 9,469; whole number of swine, 12,027; whole number of milch cows, 13,042; gallons of milk sold or sent to factory, 1,390,662; pounds of butter made, 1,154,969; pounds of cheese, 6,560; pounds of honey, 64,267; pounds of wool, 115,847.

Value of orchard products, \$138,881; value of grain products, \$208,420. Barn-yard poultry, number, 118,348; dozens of eggs produced, 627,374.

## FARM ANIMALS IN ALBANY COUNTY.

AMONG the first to import into this county improved breeds of foreign cattle was Matthew Bullock, an Englishman, who bought a farm in now New Scotland, where he resided until his death. The property remained in the possession of his sons for a few years, and is now owned and occupied by Robert Hurst. Mr. Bullock was a successful farmer, and noted breeder of improved short-horn cattle, which became celebrated throughout the United States. The introduction of this breed of cattle into the county is of so much importance that a special record is given, the facts of which are obtained from authentic sources. Previous to 1815, an Englishman by the name of Cox, who lived in Rensselaer County, imported from one of the established herds of England, a bull, cow and heifer which were pure short-horns, and are said to have been bred by Robert Colling, of Brampton, England, whose herd was sold in 1810, one of his bulls bringing one thousand guineas. Mr. Bullock purchased his stock of him in the year 1815. Upon the death of Cox, his cattle and their produce were purchased by Bullock, who bred them with the bulls Comet and Nelson, imported by Matthew Bullock and John Waine, in June, 1821. The herd, in 1843, passed into the hands of his sons, one of whom, William M., continues to breed them with some degree of purity. The descendants of this stock were remarkable for their robust size and extraordinary milking qualities, and for several years in succession, after 1818, at fairs and cattle shows, Mr. Bullock was awarded premiums for the best cattle exhibited.

About 1815, Jesse Buel, of Albany, purchased of Mr. Cox an imported short-horn bull and two cows, which were crossed with the above-named Comet and Nelson.

In 1823, Gen. Stephen Van Rensselaer imported from the herd of Mr. Champion, the bull Washington and the cows Pansy and Conquest. Pansy has many descendants, which were distributed through many of the States.

In the year 1835 or 1836, Ezra P. Prentice, of Albany, began breeding short-horns from the stock of Van Rensselaer; and from 1838 to 1841, he made several importations of this breed from various herds in England. He bred his stock with such skill and success that it was much sought after by purchasers from other States and Canada. In 1842, he added to his stock, by importation, Ayrshire or Scotch cattle; and in 1837, he imported a choice flock of Southdown and Cotswold sheep. The encroachments of the city upon his Mount Hope Farm compelled him to discontinue this branch of farming, in which he took so much interest. He disposed of his stock in 1850, the sheep being purchased by Mr. McIntyre.

About the year 1836, Erastus Corning, Sr., imported the cow Wildair, and a bull and heifer. This cow has progeny mentioned in the American Herd Book.

C. N. Bement, as early as 1835, had on his Three Hills Farm, Durham short-horn registered cattle, and in 1838 a cow and a bull of the Hereford breed. Benjamin Tompkins commenced the breeding of this variety of cattle about 1766, near

Hereford, England. In 1819, his herd of fifty-two head was sold at auction for £4,673. They were originally brown or reddish-brown, with white faces, and came, probably, from Normandy. The first importation to this country was made about 1817, by Henry Clay, of Kentucky. Massachusetts farmers began to import them in 1824.

The first direct importation of these cattle into this county was by Wm. H. Sotham in 1840. The Hon. Erastus Corning, of Albany, was interested in this transaction. The *Albany Cultivator* said: "One of the most important importations of cattle and sheep that has ever taken place in this county has been made by the Hon. Erastus Corning, of this city, and Wm. H. Sotham, of Jefferson County. It consists of twelve cows, calves and heifers, and twenty-five sheep. The cattle are the very best animals that could be selected, and the expense of this importation was nearly \$8,000." At this time was imported the celebrated stallion Sampson, a heavy draught horse of fine proportion. The progeny of this horse possessed marked features, which have been transfused with native stock, and is yet counted in the pedigree of his direct offspring.

Messrs. Corning & Sotham continued together in breeding Herefords until July, 1847, when the firm was dissolved, and Mr. Sotham took a portion of the herd and removed to Black Rock. Mr. Corning retained a portion, and his son, Erastus Corning, Jr., maintains the reputation of the herd by occasional importations. In 1853, he imported three fine Herefords, a bull and two cows, selected in England especially for him, from Lord Berwick's prize stock. Stock from this choice herd are in demand, and are sold to all parts of the United States and Canada.

A strain of Durham or short-horn cattle called "Cream Pots," originated with Col. Jacques, by a cross with Cœlebs and Flora, in 1819; and for several years Hon. Wm. H. Slingerland has been a successful breeder of this choice stock, celebrated for their remarkable milking qualities as well as butter makers. Jenny Lind, a cream-pot cow, the property of Mr. Slingerland, in 1859 was awarded the first prize at the State Agricultural Fair as the best butter and milk cow exhibited. Jenny Lind, in her prime, gave thirty-six quarts of milk a day.

The first record of the Devon breed in this county, was a bull and cow, the property of Caleb N. Bement, of the Three Hills Farm, as early as 1839. Since that time the breed has been introduced by several practical farmers, and has pro-

duced satisfactory results. The largest breeder and owner of this fine stock in the county is Captain Joseph Hilton, whose herd contains some of the choicest specimens in the State. Mr. Hilton is a very successful breeder, and is usually awarded first and second prizes for herds or single animals. His bull, Prince of Wales, has been the winner of first prizes at State Fairs for several years. This animal stands at the head of the best herd of prize Devons, and is considered the finest Devon bull in America.

The origin of the Jersey cattle is quite obscure. They probably came first from Normandy and Brittany with the early settlers, and thence to the Channel Islands, where they developed characteristics that are modified to a remarkable degree from those on the mainland.

The Channel Islands are English possessions, and are composed of Guernsey, Alderney, Jersey and Sark. Within the past 30 or 40 years, efforts have been made among breeders of dairy cattle to develop a greater degree of docility of disposition with continuous milking tendency and extreme richness in butter qualities. Cattle from the Channel Islands were selected for this purpose by parties in England. As early as 1817, Mr. Richard Morris, of Philadelphia, describes "a cow of the Alderney breed" imported by Mr. Wurts. Early importations from these islands were usually shipped from a port in Alderney; hence the common name of "Alderney." This breed was imported to some extent into the United States by Mr. John A. Taintor, of Hartford, Conn., about the year 1850, and has been a favorite with special regard to their rich milking qualities, possessing many of the characteristics of the cattle from Jersey.

The Jersey cow is a product of the Island of Jersey. Its genial climate has produced a small, docile, useful and beautiful domestic animal. These fine qualities are said to be greatly due to the constant care and presence of women; for in Jersey the women have charge of the cattle.

The primary object in breeding the Jersey cow is for family use and butter dairies. This animal is simply a machine for first-class milk and butter. She produces the richest of milk, from which butter can be made of superior flavor, finer texture and richer gold color than any other. It also commands higher prices in the market. The importations made about the year 1850, by farmers near Hartford, Conn., were the foundation stock, which was largely distributed in several States. Numerous importations have been made since then. The finest herd of registered Jerseys

in this county is the property of Erastus Corning, collected from his own importations and selected with great judgment. Other parties in the county who have imported animals of this stock, are E. J. Larabee, John McEwen, G. E. Waring and L. S. Hardin.

In 1840, an importation of Guernseys was made by Nicholas Biddle, of fine animals from the Island of Guernsey. Since then several importations have been made, and the cattle have been received with favor and are considered but little inferior to the best Jerseys, which they resemble in some points.

There are in the county some fine animals. Those belonging to the herd of John S. Perry have been selected with great care from direct importations or progeny of imported stock.

The first importations into Massachusetts of the Dutch Holstein-Friesian, were made as early as 1852. In May 1885, the breeders and importers of Dutch cattle adopted the name of "Holstein-Friesian" as their title.

Mr. C. L. G. Blessing is the largest and most extensive breeder and importer of Dutch cattle in the county. In 1881, he was the owner of an imported cow; in 1882, he imported six head of Friesian cattle; and in 1884, he made a successful importation of fifty-one head, selected by himself from the best herds of Holland. Schuyler Brothers, E. Sweet, John Gardner, Martin J. Blessing, and a few others of this county, have individual animals or small herds of choice and blooded stock, which, since their recent introduction, have acquired a high reputation for their many excellent qualities.

The improvement in neat cattle has been quite successful. There is scarcely a distinguished herd of short-horns, Devons, or Herefords in England, Ayrshires in Scotland, or the more recent introduction of Jerseys, Alderneys and Guernseys, or of the Holstein-Friesian from Holland, that has not its representative in this county. The grades and crosses have made a decided impression upon the general utility and produce of this class of animals, which return the farmer great profits in milk, butter and beef. The number of milch cows in the county in the year 1820, was 8,995. In 1865, cows, 10,615; heifers, 9,388; oxen, 792. In 1875, cows, 11,951; heifers, 4,029; oxen, 964. In 1880, cows, 13,042; heifers, 7,314; oxen, 515. Number of pounds of butter made in 1879, 1,154,969; of cheese, 6,560. Number of gallons of milk sold or taken to cheese factories, 1,390,663.

To write up fully the subject of horse-raising and breeds introduced in the county for the past eighty

years, would require more time and space than can be given in these pages. Although a subject of much interest, it has received, until recently, but little consideration compared with other advanced farming industries from which success has resulted.

The earliest historic locations to which we can trace back the modern horse on this continent, are found in New Mexico, Wyoming and Utah. No horses, either wild or domestic, existed on this continent at the time of the Spanish conquest of Mexico in 1556; but those introduced at that time escaped, and multiplied rapidly on the plains of South America and Texas. In time they spread to the Western prairies.

The several breeds that were early found in this county came from thorough-bred stock, and the points of excellence they possessed were adapted to the requirements of that period. Of this class were the stallions Eclipse, Goldfinder, Blucher, Mambrino, Albion, Diomedé, Messenger, and others. The Messenger stock, through its descendants, has in a wonderful manner perpetuated the endurance and the quality of speed that was characteristic of its ancestors.

Later, the Morgan, Black Hawk, Hambletonian, and Henry Clay stock, introduced a strain of blood into previously well-bred animals, and this infusion has had a decided and valuable influence in producing a class of horses possessing superior action as coach and roadsters. Many of them have records of great trotting speed.

In 1840, Messrs. Corning & Latham imported into this county, from England, the draught-horse Sampson, which, with the native mares, produced a class of horses possessing qualities desirable in a horse for farm work, and enhanced his market value as a draught-horse.

At the present time the Percheron, Norman and Clydesdale are being introduced and bred with native mares, and the experiment is attended with fair results. The Percheron is a pattern of strength, and impresses this character upon his progeny. As a race they are remarkably hardy, of excellent temper, docile, of great endurance, with a disposition and willingness to work. The horse that the farmer needs is one that can do his work with ease on the farm, be active enough for the road and market, with style and action to command purchasers.

One of the reasons why the breeding of horses as an industry is very much depressed in this county is, that farmers, for several years past, have largely bred from fancy or trotting stock without regard to size, figure, usefulness or local require-

ments. The number of horses in the county in 1820 was 8,893; in 1865, 10,529; in 1875, 8,963; in 1880, 9,469.

Sheep husbandry supplies two of the great necessities of life—warm clothing and nutritious food. When the slopes and hill-sides of our county were first cleared, they furnished natural pasturage which the farmer stocked with sheep, and from which he realized a large return for his capital and labor. They required herding at night as a protection from the ravages of wild beasts, then common in the forests.

For many years, the farmers of this county gave considerable attention to this branch of industry—almost every farm had more or less sheep. But many have latterly abandoned sheep husbandry to devote their lands to greater breadth of grain crops, potatoes and fruit. After hay became a staple commodity for transportation, many a farmer found greater profit in growing hay; the sheep pastures were generally abandoned and converted into meadows.

The destruction of many sheep by the unrestricted control of dogs, was a great detriment to this special interest, and many have abandoned the business from this cause alone. In some of the towns containing hill-side or rough lands, small flocks are yet to be found.

As early as 1838-40, some of the improved English stock were introduced, and a few farmers now have small flocks. The varieties of improved breeds are fairly represented in the county. Yet, it is a fact, that sheep husbandry has steadily decreased for the past thirty or more years, and it is evident that the business of wool-growing has ceased to be a profitable branch of general farming in this county. Number of sheep in the county in 1820, 52,613; in 1865, 33,543; in 1875, 18,120; in 1880, 24,393. The clip of wool for 1880 equaled 115,847 pounds.

Improvement marks swine-raising in this county. The days when the only care that hogs received was a rustic ornament about their necks and a horse-

shoe nail twisted in their nose, have passed away. When not confined in filthy pens, they ranged the highways and trespassed on their neighbors, or were turned in autumn into the woods or weedy pastures to seek their own living.

The long-eared, slab-sided and lank hog with protruding nose, is a relic of the past. As early as 1832, S. Hawes, who came from England and settled about three miles west of Albany, brought Berkshire hogs and New Leicester and Southdown sheep. But the credit for the first introduction of Berkshire hogs belongs to Thomas Hillhouse, who, in 1824, at the Albany County Fair and Cattle Show, exhibited this improved breed. After Hillhouse, Christopher Dunn and C. N. Bement, in 1835, were engaged in breeding Berkshires and improved China hogs from New Jersey stock. There is now a fair exhibit of all the different improved breeds in the county, including fine specimens of Berkshires, Chester Whites, Cheshires, China Reds, Poland, Essex, Suffolks and Yorkshires. The number of swine in the county in 1865 was 11,450; in 1875, 8,814; in 1880, 12,027.

Poultry-raising and the production of eggs is an industry that receives great attention. Almost every farm has its brood of hens, from which a fair profit is realized for a small outlay. With judicious management and proper selection of stock, this branch should be a source of pleasure as well as gain. Since 1850, the improved varieties have largely increased, and the introduction of these, with crosses, have produced many desirable qualities for both market-fowls and eggs. Beside barn-yard fowls, many farmers profitably raise turkeys, geese and ducks. Among the wonders of the age is the invention and machinery for artificial hatching, brooding and raising of poultry, which is rapidly improving and becoming a special industry. Not a few of these incubators are already in operation both in the city and county towns. The census report of 1880 gives 118,348 as the number of barn-yard or domestic poultry, and the production of eggs, 627,374 dozen.

## HORTICULTURE, FLORICULTURE AND AGRICULTURAL LITERATURE IN ALBANY COUNTY.

SOLOMON SOUTHWICK came from Rhode Island to Albany in 1792; became connected with *The Albany Register*, and in 1808, its proprietor. In 1819, he conducted *The Ploughboy*, the first agricultural paper published in the county, under the *nom de plume* of Henry Homespun.

*The Farmers', Mechanics' and Workingmen's Advocate*, daily, was started in 1830 by McPherson & McKercher, and the next year it appeared as *The Daily Freeman's Advocate and Farmers', Mechanics' and Workingmen's Champion*, and was published for a year or two.

*The American Quarterly Hemp Magazine* was commenced in 1833 and continued two years.

*The Silk-worm*, monthly, was commenced in 1835, published two years, then changed to *The Silk-worm and Sugar Manual*; discontinued in 1838.

*The Cultivator*, monthly, was established in 1834, by Jesse Buel, who came to Albany from Connecticut in 1813; and soon after established *The Albany Argus*, his interest in which he sold in 1820, and purchased a farm of eighty-five acres on the sand barrens west of Albany. Here he was very successful in experimental and improved husbandry, proving that these sand lands, before considered as worthless, could be made highly productive, and the returns made remunerative. He gave the public the benefit of his labors through the columns of *The Cultivator*. The system he adopted was heavy manuring, under-draining, thorough tillage, clover seeding, root crops, and fallow crops for naked fallow. This was his practical farming. He was also an advocate for improved farm stock, of which he possessed many fine specimens. He also established, in 1838, the first nursery of fruit trees in the county, with James Wilson as partner. In this nursery were grown millions of *Morus multi-caulis* trees. At this time the country was in a fever and excitement over the silk-worm humbug. Mr. Buel was a member of several agricultural societies in different States and foreign countries; was several times the honored President of the State Agricultural Society. In 1839, he was President of the Horticultural Society of the Valley of the Hudson; also of the Albany County Horticultural Society. His writings comprise his many addresses

on agricultural subjects, six volumes of *The Cultivator*; "The Farmers' Instructor;" and "Farmers' Champion." Connected with him in conducting *The Cultivator* were J. P. Beekman and J. D. Wasson.

*The Cultivator* was subsequently published by Luther Tucker, W. Gaylord, associate editor, in November, 1839. January, 1840, *The Genessee Farmer* was consolidated with *The Cultivator*, and conducted by L. Tucker & Son.

*The Country Gentleman* was started at Albany, January, 1853, by J. J. Thomas and L. & L. H. Tucker. It was afterward published by L. Tucker & Son, and, in January, 1866, was united with *The Cultivator*. Since the death of Luther Tucker in 1873, *The Country Gentleman* has been conducted by his sons, Luther H. & Gilbert M. Tucker, with distinguished ability and devotion to the interests of progressive agriculture, diffusing practical knowledge as to the best methods. Its circulation is very large.

*The American Quarterly Journal of Agriculture and Science* was commenced in January, 1845, by Dr. E. Emmons and A. T. Prince. In 1846, it was changed to a monthly and published by E. Emmons and A. Osborn. In 1848, it was sold to Caleb N. Bement, and discontinued in December of the same year.

*The Horticulturist and Journal of Rural Art and Rural Taste* was commenced in July, 1840; published by Luther Tucker, and edited by A. J. Downing. In 1854, it was removed to Rochester; in 1855, was published in Philadelphia by R. P. Smith; and in 1858, brought to New York and published by C. M. Saxton, with J. J. Smith, editor.

*The Journal of the New York State Agricultural Society* was commenced in 1850, and published annually.

*Forest, Forge and Farm* started in June, 1883; H. S. Quackenbush, editor, Tweddle Building.

*The Poultry Monthly* commenced in November, 1879; published by the Ferris Publishing Company, at 481 Broadway.

Mount Hope Farm, since 1834, has been the property of Ezra P. Prentice, succeeded by his son.

The plot was originally owned by Maria, wife of Philip Van Rensselaer, and by her conveyed to her daughter, Harriet, wife of General Solomon Van Rensselaer, in 1805. It was used, in 1827, as a summer resort. After Mr. Prentice got possession, he erected new buildings and otherwise improved the premises and stocked them. He was an eminent stock-breeder as well as practical farmer. His 102 acres of improved land supported fifty head of cattle, six horses, fifteen to twenty swine, and a flock of sheep. Adjoining Mr. Prentice on the south, were Joel & John F. Rathbone's premises, upon which attractive improvements were made in 1835, the grounds laid out and beautified, green-houses erected, and other buildings constructed with cultivated taste. This property is now owned by the Catholics, upon which is the College of the Sacred Heart.

Other men in this county who deserve special mention for their intelligent and practical experiments in advancing the best interests of agricultural pursuits, at this period, are Christopher Proctor, Christopher Dunn, C. N. Bement, Joel B. Nott, the Watervliet Shakers, and some others.

These men were ever ready to communicate their individual experience that others might be benefited, and their influence was a force in community exerted to obtain better results from given methods. The practical effects resulting from the teaching of these men can be measured only by the value that has been realized in the development and formation of better methods with increased production, establishing a system of higher agriculture. They introduced a superior grade of neat cattle and farm stock in general. Experience is a teacher, and they are wise who follow its teachings.

The farmers of this county are intelligent as a class; many of them are foremost in adopting and applying new methods with satisfactory results.

Many farmers have engaged in growing garden vegetables and other staple products included in "truck-farming," denominated horticulture. A few acres are devoted to this branch, from which is realized a fair profit. The small farms near the city are almost wholly cultivated in this way. Among the men who are largely engaged in truck-farming may be mentioned Messrs. C. V. Baker & Son, at Fair View Farm; James Hendrick, of Font Grove; E. Van Allen, and many others. The several islands and river flats of the Hudson are almost exclusively planted with cabbages, of which many thousands are grown.

The earliest nursery established in the county was by Bull & Wilson, 1839. Wilson, Thorburn

& Teller had nurseries about 1848. George A. Legget and Erastus Corning, in Bethlehem; James McElroy and Markle Brothers, of New Scotland; and James Hendrick, of Font Grove, have been prominent nurserymen. At the present time there are no nurseries devoted wholly to fruit trees and small fruits; a few of the florists cultivate a limited stock in connection with their green-houses and shrubbery culture.

STEPHEN VAN RENSSELAER established the first green-house in Albany about 1824, which at that date was the only green-house this side of New York City. Along the river were those of Dr. Hoosick, near that time. James Wilson was gardener for the Patroon. It was in these houses that the century plant—*Agave Americana*, or aloe—bloomed in 1842. The plants and stock of these houses were ultimately disposed of to different parties and the buildings taken down. The grape-house is now doing service on the farm of James Hendrick.

JAMES WILSON established his green-houses with small fruits and trees in 1835, on what was then a waste place in this city, at the corner of South Knox and Morris streets. His grounds were about three acres, on a sloping hill-side; this was carefully cultivated and planted with nursery stock and flowering shrubs. Mr. Wilson was the originator of the famous "Wilson strawberry." He died in 1855. His widow and son continued the business until 1866, when it passed into the hands of John Sprague, then of Fredk. J. Welch, and, about 1870, of Thomas Davidson, the present proprietor. Mr. Davidson has six green-houses and an extensive collection of plants.

At Kenwood, the RATHBONES built green-houses in 1837. After the property changed owners, many of the choicest plants were taken to the city, where they now beautify and ornament the private conservatory of General Rathbone.

LOUIS MENAND located, in 1842, upon the Troy road and established his present green-houses and nursery. He has about ten acres of land, upon which are twelve green-houses containing many rare and valuable plants, with a large stock of flowering and ornamental shrubbery and fruit trees. The whole plot and surroundings are attractive and beautiful for situation. L. Menand & Sons also conduct green-houses near the rural cemetery.

ERASTUS CORNING, on his farm below Kenwood, on the River road, erected a green-house in 1845. Since that date extensive improvements have been made, grading, filling and planting the inclosure

of ten acres with native and foreign trees, many of which are very ornamental, rare and valuable. This private park contains fourteen extensive green-houses connected with gardeners' cottages. The grounds in summer are very delightful. The houses contain many rare and beautiful tropical and other exotic plants. The collection of orchids is the most extensive of any green-houses in this country; probably the finest in the world. Mr. Wm. Gray is superintendent and gardener. Ta-wass-a-gun-shee, is the Indian name given to these green-houses, meaning a place of much water.

JOHN DINGWALL, in 1847, located and erected green-houses upon eight acres of land on the Troy road, opposite the Van Rensselaer mansion grounds, where he has six green-houses well-stocked with a fine collection of valuable plants. Nursery stock is cultivated in the open spaces. This garden occupies the ground made memorable as the spot upon which Daniel Webster delivered his great Albany speech in the Harrison campaign of 1840, heard by 10,000 listeners.

LOUIS GLOECKNER has green-houses and shrubbery at the rural cemetery for cut flowers, plants and other decorative supplies.

P. G. PFORDT'S SONS conduct green-houses in the City of Albany, on North Broadway, for the cultivation and sale of plants and flowers. These were formerly located on the Shaker road, north of West

Albany, and were conducted by Joseph G. Pfordt, as nurseryman, florist and farmer.

A. F. CHATFIELD, florist and proprietor of Exotic Green-houses, is located at 66 Chestnut street, Albany City. Established in 1858.

JAMES HENDRICK, of Font Grove, at Slingerlands, established extensive green-houses in 1869. He, for a time also engaged in the cultivation of fruit trees and nursery stock. He has twenty-one green-houses, 15 x 100 feet, which occupy, with out-door culture, about six acres, for cut flowers and plants to supply his trade. He has an office at 36 North Pearl Street, Albany.

WHITTLE BROTHERS erected extensive green-houses on a plat of five acres on Madison avenue, Albany, in 1884. Here are grown plants and ornamental shrubbery in great variety, for cut flowers, bouquets and the trade. Connected with these green-houses is a store in Tweddle Building.

WASHINGTON PARK, Albany, has extensive green-houses for cultivating plants and shrubbery, under the care of Matthew Fink, superintendent. These were built in 1883, upon a portion of the Alms-house property, on the New Scotland plank road and near the Lexington avenue entrance to the park.

A. J. BINLEY, No. 323 Clinton avenue, first located on First street in 1880, has a green-house and lot for the cultivation and sale of plants and flowers.

## THE NEW YORK STATE AGRICULTURAL SOCIETY

WAS organized by a few public-spirited men, assembled in Albany in the year 1832 from different parts of the State. A constitution was adopted and the following officers elected: Le Ray De Chaumont, President; Ambrose Spencer, Jacob Norris, Edward P. Livingston, Robert R. Rose, Vice-Presidents; Philip S. Van Rensselaer, Recording Secretary; Jesse Buel, Corresponding Secretary; Charles R. Webster, Treasurer; Henry W. Delavan, Horatio Hickox, John Townsend, Executive Committee. The society held a cattle show and fair the next year; but the want of funds prevented a continuance of fairs. The charter was granted for twenty years. It was renewed in 1842. An act passed by the Legislature for the encouragement of agriculture, appropriating \$8,000 for five

years, to be divided among the societies, gave the friends of agriculture renewed courage. The society was reorganized in 1841, with Joel B. Nott, of Bethlehem, as President. The first fair was held the same year at Syracuse, and in Albany the next year. Since that date the society has held fairs and agricultural exhibitions, as well as floricultural and mechanical displays, at Albany in the following years: 1850, 1859, 1871, 1873, 1876, 1880 and 1885.

The annual fairs, with a change of location each year, have become one of the institutions of the State; and the throngs of people who annually flock to its exhibition grounds from all classes and ranks of society, give very gratifying evidence of high public appreciation.

The society meets annually at its rooms in Albany and has a winter exhibition of agricultural and dairy products. Connected with this State society is the interesting Agricultural Museum, which occupies rooms in the building on State street, corner of Lodge, in which are the offices of the society and special accommodations for its extensive departments. On the 19th of November, 1784, an annual fair for vending cattle was held in Albany. Chancellor Livingston was a farmer of intelligence. He is credited with introducing gypsum as a fertilizer as early as 1789.

In 1790, a Society was instituted for the Promotion of Agriculture, Arts and Manufactures. Among its active members were Chancellor Livingston, Simeon De Witt and Ezra L'Hommedieu. The society continued its labors and issued its publications until 1804, when it was merged into the Society for the Promotion of the Useful Arts. It subsequently was merged in the Albany Institute.

The first anniversary address was delivered before the society, January, 1792, by the learned Dr. Samuel L. Mitchell.

## ALBANY COUNTY AGRICULTURAL SOCIETY.

**I**N 1818, an Albany County Agricultural Society existed, which received \$350 from the State, and held three annual fairs. The first annual exhibition of the Albany and Rensselaer Horticultural Society was held in the Geological Rooms, Albany, September, 1848. Fairs and exhibitions followed in 1849 and 1850. The town of Coeymans organized an Agricultural Society in 1851, with James W. Jolley, President. This was afterward merged into the County Society.

Thursday, May 14, 1853, a meeting was held in the rooms of the State Agricultural Society at Albany for the purpose of organizing an agricultural society for the County of Albany. At this meeting James W. Jolley, of Coeymans, was called to the chair, and Joseph Warren, of Albany, acted as Secretary. After the usual preliminary discussion, the organization was effected by the election of the following officers: President, James W. Jolley; Treasurer, E. E. Platt; Secretary, Joseph Warren; with a Vice-President for each town.

The first annual fair of this society was held at Bethlehem Centre, October 4, 5 and 6, 1853. The receipts were \$900. The fair grounds were located too far from the city, with no conveniences for reaching them.

The second annual fair took place on the Washington Parade Grounds in November, 1854.

1855.—The third annual fair was held on Washington Parade Grounds, September 25, 26 and 27.

January 2, 1856, the society was reorganized, with Levi Shaw, President; Richard Kimmey, Vice-President; Charles R. Wooley, Secretary; L. G. Ten Eyck, Treasurer.

1856.—The fourth annual fair was held on Washington Parade Grounds, September 23, 24 and 25.

1857.—Joseph Hilton, President. Fair was held in Albany in October.

1858.—William Hurst, President. Fair held on Washington Parade Grounds, September 21, 22, 23, 24.

1859 and 1860.—William Hurst, President. Fair held at Albany, September 18, 19, 20, 21.

1861.—Wm. Hurst, President. No fair this year.

1862.—William Tuttle, President.

May 8, 1862, was organized the Town Union Agricultural Association of the County of Albany. The following officers were elected: President, Jurian Winne; Vice-President, James W. Jolley; Treasurer, Wm. H. Slingerland; Secretary, Samuel C. Bradt.

June 7, 1862, The Town Union Agricultural Association, at a special meeting, changed its title to Albany County Agricultural Society. Its organization was made to conform to the Act of April 13, 1855. The officers chosen were: President, Jurian Winne; Vice-President, James W. Jolley; Treasurer, Wm. H. Slingerland; Secretary, Samuel C. Bradt. No fair held this year.

1863.—Jurian Winne, President. Fair held on Washington Parade Grounds, September 29, 30 and October 1 and 2. Receipts, \$4,000.

1864.—Leonard G. Ten Eyck, President. October 4, 5, 6 and 7. Fair held on Parade Grounds.

1865.—Henry Callahan, President. Albany and Rensselaer Counties jointly held a fair on Island Park, September 19, 20, 21 and 22.

1866.—Jacob Messenger, President. Fair held last week in September.

1867.—The Albany City and County Agricultural and Industrial Societies held a fair and exhibition in Albany in September.

1869.—Joseph Hilton, President. The above societies held their fair and exhibition at Albany the first week in October.

1871.—William Ramsay, President; D. V. S. Raynsford, Treasurer; Thomas Bagley, Superintendent; John H. Farrell, Secretary. August 13th of this year the society was organized as a stock company. A fair was held at Hurstville in October. The weather was rainy and unfavorable, and financially it was a failure, being remote from the city and attended with many inconveniences.

1872.—George Tweddle, President. No fair.

1873.—December 2d, the Albany County Society held a meeting to elect officers.

1873.—In the month of June the Albany Agricultural and Art Association was organized: President, Thomas W. Olcott; Vice-President, Maurice E. Viele; Treasurer, Wm. H. Haskell; Secretary, Volkert P. Douw.

The society purchased about forty-four acres of land four miles north of the city, between

the Watervliet turnpike and horse railway on the east, and the Albany and Saratoga Railroad on the west. This location was adapted to the purposes intended by the society as permanent exhibition grounds, with all the necessary buildings, machinery and other facilities to render them attractive, convenient and comfortable for general and special purposes.

The ground was planned by John Bogart, who superintended the grading, road-making, planting trees and other improvements. The society erected buildings, sheds, machinery departments, offices and other structures, at a cost of \$30,000. The ground was inclosed by a close fence. On the west, platforms were erected for railroad conveniences. The New York State Agricultural Society held their fair on these grounds after completion of buildings in 1873.

1874.—Thomas W. Olcott, President. This society, with the Albany County Society, held a joint fair on these grounds September 22, 23, 24, 25. Volkert P. Douw, Superintendent.

The last officers elected for Albany County Agricultural Society were George Tweddle, President; John H. Farrell, Secretary; D. V. S. Raynsford, Treasurer. The society has held no fairs since 1874.

## THE SHAKERS OF ALBANY COUNTY.

THE United Society of Believers, called Shakers, reside in the township of Watervliet, and are located at Shaker Post-office, six miles north of Albany. The post-office was established in 1871.

This settlement was founded as a religious and secular society in the year 1775, by Ann Lee, born in Manchester, England, in 1736. She came to America when she was 38 years old, with a few of her followers.

The society now has four families, called the Church family, the North family, the West family and the South family, all numbering about 300 souls. Mother Ann, as she was called, died September 8, 1784, and is buried in the Shaker cemetery, in a plain plat of inclosed ground, with nothing to mark the spot save a simple slab of white marble inscribed with the name of the dead.

Our article is compiled from verbal statements and from a volume prepared by Calvin Green and Seth Y. Wells. The doctrine and faith

of this society are fully treated in this book as those which Mother Ann taught. They are substantially as follows: The second appearing of Christ in person; that all will become Christ's when fitted by self-denial; that Jesus became the Christ at His baptism; the community of all temporal things and effects; a life of consecrated celibacy; non-resistance and freedom from the strifes of war; and non-interference with political parties, with no distinction of government.

The society owns about 3,000 acres of land in different parts of the town, which is in a good state of cultivation, and upon which productive crops of grass, grain, broom corn, vegetables and fruit are grown. About 100 head of neat cattle furnish the several families with the necessary dairy supplies, and 50 horses are required for labor on the farms, trucking and marketing. The pursuits of the people are varied according to the wants of the society and the demands of trade. Some are

engaged in agriculture, some in horticulture, and some in the mechanical arts. Still others are engaged in canning fruit and vegetables, while the saw-mill, broom factory and several other shops give employment to many busy hands.

The domestic and household affairs are presided over by faithful superintendents, assisted by the necessary help. Order, system, neatness and punctuality prevail in every department.

Their dwellings, offices, factories, shops, store-houses and farm-buildings of every description are all substantial, plain structures, built for use, not ornament, containing all the necessary improvements of modern invention that skill can devise for the convenience of man and the comfort of domestic animals. The mechanical work in its several branches is performed by members of the society, many of whom are skilled workmen. Water and steam power are used for manufacturing purposes. During the season of general admission to their Sabbath worship, great crowds from the surrounding country visit them, mostly to hear their impressive singing and witness their peculiar dancing. Their present church edifice is a large plain building, having a seating capacity for 1,000 persons.

In their moral training they are carefully taught to regard the principles of honesty, punctuality and uprightness in all their conduct; to keep a conscience void of offense towards God and all men; to be neat, cleanly and industrious; to observe the rules of prudence, temperance and chastity; to subdue all feelings of selfishness and hatred; to let the law of kindness, love and charity govern all their feelings towards each other; to shun contention and strife; careful neither to give nor take offense; to conduct themselves with civility, decency and good order before all people; to promote the happiness of each other; and to live in gospel purity, peace, union, and social harmony. These are among those virtuous principles which actuate the people of the United Society in all their temporal concerns, and which tend greatly to promote the health and prosperity of the society, and insure the blessings of divine providence upon all their labors.

A well conducted monthly, called the *Shaker Manifesto*, is published in this community, edited by Rev. G. A. Lomas. All visitors, if courteous themselves, are treated with marked attention and courtesy. The business relations of these people with merchants, and all others who have dealings with them, are those of well-established integrity and trust.

The history of this interesting society in its origin is so peculiar, and so largely identified with

our county, that we give it more in detail. Mother Ann, while in England, was often shamefully abused and a number of times imprisoned upon various charges brought by her enemies; after a time her people were allowed to enjoy their faith in peace, but their public testimony ceased in England about a year before they embarked for America.

Mother Ann was, by a special revelation, directed to repair to America, and this revelation was communicated to the society, which was confirmed by signs, visions and manifestations to many of the members, who were given permission to accompany her. Accordingly, those who became the companions of Mother Ann in her voyage to America, and professedly members of her society, were Abraham Stanley, her husband, William Lee, her brother, James Whittaker, John Hocknell, Richard Hocknell, James Shepherd, Mary Partington and Nancy Lee.

Having settled their affairs, they embarked at Liverpool on board the ship *Mariah*, Captain Smith, of New York, and sailed on the 19th of May, 1774. After enduring the storms and dangers of the sea in an old leaky ship, they arrived safely in New York on the 6th of August following.

After Mother Ann and her little family arrived in this country, they passed through many scenes of difficulty of a temporal nature. Being strangers in the land and without any means of subsistence, they were obliged to seek employment where they could find it, and at the same time arrange plans for their future residence. Accordingly, William Lee and John Hocknell went up the river and contracted for a lot of land in the County of Albany. Mother Ann, her brother William, and the others went to Albany, where they found employment. But she did not reside there permanently. In the beginning of the autumn of 1775 Abraham Stanley was taken sick, and, after his recovery, and before he was fully able to labor, he began to associate with the wicked and lewd, and lost all sense of religion. Unwilling to forsake his wicked ways, the relation between Mother Ann and her husband ceased. John Hocknell, with his family, returned from England December 25, 1775, and met Mother Ann in New York, where they remained until February following, and then went on to Albany by land. Having brought their effects from New York after the opening of the river, their next object was to prepare for a settlement in the wilderness by clearing their land, erecting suitable buildings and making other necessary provisions, which they accomplished in the

course of the summer, and in the month of September, 1776, they took up their residence in the woods of what is now Watervliet, about six miles northwest of Albany City. These lands were in the Van Rensselaer manor and were leased from the Patroon on the usual terms and conditions, and were mostly the light sandy plains of the vicinity. Here, in a wilderness state, they began with zeal and industry, through sufferings, to prepare the way for a permanent settlement. Here they held their meetings for three years and a half, until the way was opened for giving their testimony to the world in the spring of 1780.

During this year the society was encouraged in its work by additions to their numbers; new converts were added, and their meetings were largely attended by persons from a distance, notably from New Lebanon. From various parts of the country many embraced the faith of the society. This new sect and their religion were looked upon by the world as fanatical. The country being at war, these people were accused of being enemies to freedom. The charge of treason was publicly made against them. In consequence of these accusations, Mother Ann and a number of the leading characters were, in the month of July, imprisoned in Albany. This naturally excited great sympathy, and as they appeared an inoffensive people, many from various quarters visited them and were soon convinced not only of their innocence, but of the truth of their testimony.

Their enemies were highly offended when they saw their object defeated, and concluded that by separating Mother Ann from her followers, the society would come to an end. They sent her down the river about the middle of August, with a view to banish her to the British army, then in New York; but not being able to accomplish their object she was landed at Poughkeepsie, and imprisoned in the jail of that town.

About the 20th December following, those who had been confined at Albany for five months were released without trial. They immediately visited Mother Ann at Poughkeepsie, and through their intercession with Governor George Clinton, she was released about the last of December. Thus ended the only imprisonment they suffered in America.

On May 3, 1781, Mother Ann, with some of her followers, set out on a visit to Harvard, in Massachusetts. But here, as usual, she met enemies, and persecution was at once set in motion. Every evil report and every wicked device were called forth to render them odious in the eyes

of the people. The usual charges of being enemies to the country, of living in debauchery and practicing witchcraft were alleged against them.

In consequence of these accusations they suffered much personal abuse, and were shamefully and cruelly treated. These persecutions, however, like the imprisonment at Albany, served only to accelerate the means of extending the testimony, which greatly increased the number of believers. About the beginning of July, 1783, they left Harvard to return westward, and on their journey visited the other societies. Leaving New Lebanon on the 4th September, they returned to Watervliet, having been absent two years and three months.

In July, 1784, the society was called to sustain a severe trial in the death of Elder William Lee. This event was soon followed by another, in the loss of the visible presence and protection of their dearly beloved Mother. Being herself sensible that her time was short, she often reminded the people of it and exhorted them to faithfulness and perseverance in the way of God. Having finished her work on earth, she was called to bid adieu to all worldly things, and was released from her labors, her sorrow and sufferings, and calmly resigned her soul to God, on the morning of September 8, 1784.

The society being now deprived of their faithful friend and guide, Elder James Whittaker succeeded her in the ministry, and was henceforth called Father James. The society labored on in the work before it, and, with increasing prosperity, saw the necessity of being gathered into a more united body, for greater protection and a further increase of their spiritual travail.

In the autumn of 1785, was raised the first house of public worship ever built by the society. From this time the affairs of the society began to assume a more regular form and order. This house still stands, well preserved.

Father James died July 20, 1787, and was succeeded in the ministry by Joseph Meacham and Lucy Wright, who was appointed as the first leading character in the female line. These two were established by the gift of God as spiritual parents in church relation and first ministers of gospel order. Under their ministration the people were gathered into a united body, and were gradually formed into church relation at New Lebanon, uniting their interests in one common stock, both spiritual and temporal, having all things in common.

Mother Ann possessed remarkable powers and faculties of mind by nature, which were greatly

enlarged and strengthened by the gift of God. At times, when under the power and operation of the Holy Ghost, her countenance shone with the glory of God, and the influence of her spirit at such times was great beyond description, and no one

was able to gainsay or resist the authority by which she spoke. Her whole soul appeared to be always engaged in the work of God, and the Spirit of God seemed to breathe through all her words and actions.

## TEMPERANCE WORK IN ALBANY COUNTY.

PEOPLE of different countries have many customs, habits, and social relations in common. These are dependent, in a measure, upon education, temperament, and constitutional heredity.

In the settlement of this county, it shared in both the good and the bad elements that were brought by the settlers. Perhaps no two greater evils could, by any possibility, have been introduced and fostered, under sanction of custom and law, than human slavery and intemperance caused by the use of alcoholic beverages. Both evils made rapid growth: the first through the slave trade, and the latter by immigration. Human slavery was abolished by statute in this State and county in 1827, without the loss of life or bloodshed; but the institution, as a national evil, existed in other States until 1863, when, through a war which cost thousands of lives and millions of dollars, slavery was forever abolished in the United States.

The future of this law-protected evil, the manufacture and traffic in alcoholic and malt liquors, is becoming a national danger, and its final overthrow will require heroic measures. How to accomplish this is a momentous question, and has occupied the consideration of worthy and thoughtful men. It is not by any sudden or arbitrary legislation that great social evils and the burdens of human woes are lessened. Let children and youth have light. Let us have more formation and less reformation will be needed. Few are made drunkards after they are forty years old. Few are reformed after they reach that age.

After many years of experience, temperance reformers have learned that victorious parties are born of many elements in citizenship, gathered about one great issue of paramount importance, and parties die when they fail to force that issue upon the conscience and manhood of a free people.

For fifty years, or more, men and women have zealously labored to modify the traffic and suppress the ravages of intemperance in this county,

and whatever of success has attended these efforts for mitigating the evil, opposing forces and special interests, arose dissensions and differences of opinion in regard to methods brought divisions; and numerous societies and organizations followed.

Temperance societies in the county did not assume much importance until about 1830.

One of the earliest societies was organized in 1828, in the school-house near Chesterville. The meeting was called and presided over by Deacon Holmes. Two persons signed what was called the open pledge, which allowed the person to drink all beverages but distilled liquors. Mr. Evans, one of the signers, is dead; the other, Peter P. Harrower, is living in Albany, an honored minister of the Methodist Church. This pledge proved a complete failure. A few years later, the principles of total abstinence were advocated and inserted in the pledges. Men who were at first unwilling to give this subject careful thought, began to investigate the facts that were presented, and many prominent citizens became convinced and identified with the efforts of societies that followed.

The following memoranda of early temperance movements and societies in Albany were furnished by Professor McCoy.

1. In the year 1832 there were fourteen temperance societies in Albany, with an aggregate membership of 4,164.

2. The First Ward Temperance Society, Erastus Corning, President, and Gerrit L. Dox, Secretary, had 1,227 members.

3. The Second Ward Temperance Society, Charles R. Webster, President, and Eli Perry, Secretary, had 410 members.

4. The Third Ward Temperance Society, Uriah Marvin, President, and Israel Williams, Secretary, had a membership of 410.

5. The Fourth Ward Temperance Society, Joseph Alexander, President, and John Davis, Secretary, had 270 members.

6. The Fifth Ward Temperance Society, H. A. Fay, President, and George W. Carpenter, Secretary, had 349 members.

7. There was a Canal Temperance Society, of which Thaddeus Joy was President, and Horace Meech, Secretary.

8. The Albany Apprentices' Society numbered 111 members. E. J. Hosford was President, and William Bleeker, Secretary.

9. The Furriers' Temperance Society had 112 members. Ezra P. Prentice, President, and C. J. Taylor, Secretary.

10. The Hibernian Temperance Society, Rev. Charles Smith, President, and P. M. Morange, Secretary, had 123 members.

11. The African Temperance Society had 192 members, with B. Lattimer, President, and Richard Thompson, Secretary.

12. The Albany Young Men's Temperance Society, Bradford R. Wood, President, and Archibald McClure, Secretary, had 500 members.

13. There was an Albany County Temperance Society, membership not given, of which A. Platt was President, and Benjamin F. Butler, late Attorney-General of the United States, was Vice-President.

14. The Albany Academy Temperance Society, W. P. Pohlman, President, and E. T. Griffith, Secretary, numbered 150 members.

15. In some cases one person probably belonged to two societies. Perhaps the total membership in Albany County included 8,500 persons. The total population of Albany in 1832, was 26,000.

16. 1832 was the year of the cholera. The whole number of deaths by cholera in Albany, of persons over ten years old, was 336. Of these but two were members of temperance societies.

17. The Albany Young Men's Temperance Society probably led to the formation of the Albany Young Men's Association. The members of the former, Amos Dean, Bradford R. Wood and others, were founders of the latter.

The organization of these societies was largely due to the heroic labors, resolute purpose, and powerful influence of Edward C. Delavan, of Albany, a wine merchant, the great and well-known apostle of temperance, who, with a terrible fearlessness and zeal advocated the suppression of the sale of intoxicants and the awful danger of drinking habits. He revolutionized customs which had been long in existence. His zeal in this reform was so great, that his opinions were at times uttered

with great vehemence and enthusiasm. His opponents he treated with fairness; yet he never receded from what he believed to be right and just.

A temperance sentiment began to grow in Albany. It gained the attention of a few clergymen and prominent citizens, who examined and approved the necessity of action in this reform. Public meetings were held, at which free discussion and inquiry were made. These meetings caused the organization of temperance societies as above. Public sentiment was changed. Clergymen did not hesitate to express their opinions. Eminent judges saw the evil. Chancellor Walworth said: "It was his opinion that the time would come when men would as soon be engaged in poisoning their neighbors' wells as dealing out to them intoxicating drinks as a beverage."

As auxiliaries in this great reform, one of the most potent means early employed was the publication of tracts and papers devoted to this subject, which were distributed in the community as educators. For the first twenty-five years of this reform they exerted a powerful influence. Added to public addresses, numerous societies and other practical methods, the newspaper, the lever that moves the world, has contributed its full share of influence. The following have been published in Albany in the interest of temperance reform:

*The Temperance Recorder*, monthly, was published in 1831 by the State Temperance Society.

*American Temperance Intelligencer* was commenced in January, 1834. Published monthly.

*The Youth's Temperance Enterprise*, monthly, was started November, 1842, by J. Stanley Smith, and continued three years.

*The Sons of Temperance and Rechabite*, an 8vo monthly, was published in 1846, by J. Stanley Smith & Co.

*The Telegraph and Temperance Journal* was commenced in 1848 by S. Meyers, and continued four years.

*The Temperance Courier* was commenced February, 1849, by Jasper T. Hazen, and subsequently published by J. T. Hazen & Son.

*The Washingtonian and Rechabite* was issued in 1849, by J. T. Hazen. In 1855 it was united with the *Courier*.

*The New York Reformer* was published for ten months; edited by John Abbott.

*The Prohibitionist*, monthly, was commenced in 1854 as the organ of the New York State Temperance Society. It was edited by A. McCoy, and in 1857 it was united with the *Journal of the American Temperance Union*.

July 4, 1844, J. Hyatt Smith and Isaac Edwards delivered orations at Guilderland Centre. These were printed by Joel Munsell.

In 1854 was published an address delivered in the Assembly Chamber by E. C. Delavan before the New York State Temperance Society.

In 1860, E. C. Delavan published "Temperance in Wine Countries." He also had printed and published for free distribution numerous papers, addresses, tracts and other matter relating to temperance. After the libel suit against him in 1840, he had the proceedings of the trial published in pamphlet form.

February 12, 1835, an article ably written appeared in the *Albany Evening Journal*, charging that John Taylor, the brewer, used for malting purposes filthy and stagnant water, taken from a small pond then in existence at or near the present location of the Trinity Methodist Church. For this an action was soon after laid for libel, with damages. It was not until April 21, 1840, that this case was brought to trial, and the record is as follows:

John Taylor vs. Edward C. Delavan; prosecuted for an alleged libel; tried at Albany circuit, April 21, 1840, Judge Cushing presiding. Counsel for plaintiff: Messrs. Stevens, Reynolds, McKown and Van Buren; for defendant: Beardsley, Taber and Wheaton. Libel published as above, and charged "that Taylor, the plaintiff, caused his malting establishment, on the hill (corner of State and Lark streets) in Albany, to be supplied with filthy, stagnant, putrid water, such as is taken from pools, gutters and ditches, in which were dead animals; that the water was often so foul and polluted as to be green on the surface and nearly as thick as cream with filth; and that such water had been used for malting, etc."

This trial occupied six days. Seventy witnesses were examined pro and con. The jury rendered a verdict for the defendant with costs. Other suits had been instituted with damages of over \$300,000, but were never prosecuted. Delavan was victorious, and the friends of temperance and reform were encouraged to renewed efforts in the work.

Higher ground was taken; more aggressive and stringent methods advocated, and a general interest for the cause manifested by the addition to its ranks of many men of intelligence and character, who earnestly and fearlessly entered upon the work as lecturers or organizers of various societies.

In 1840, the Albany City Temperance Society was organized, with Israel Smith as President.

In 1840, Rev. J. A. Schnellar, Pastor of St. Mary's Catholic Church, Albany, organized a temperance society, with a test pledge for one year; and in May, 1841, reorganized with a pledge for life, including this condition: that if a person wished to be released from his or her obligation, he must present his petition to the pastor of this church.

July 4, 1841, the temperance societies of the city joined in a procession to the Second Presbyterian Church, where an oration was delivered by Benjamin Nott.

In 1842, the Washingtonian movement reached Albany. The Washingtonian Total Abstinence Society was organized with a large membership, and efficiently presided over by John C. Ward, who was a pioneer in the work, and has been a zealous and faithful member of various societies.

Meetings were of frequent occurrence, many eminent public speakers and prominent reformers addressing them. Hawkins and Pollard, Washingtonians, were engaged to address large assemblies, at which the pledge was always presented for signatures. The influence of this remarkable agitation infused new life into the old societies, and called into existence the secret orders.

In June, 1842, a day was devoted to a great temperance celebration in the city.

July 4, 1842, in the afternoon, the wives and children of the Washingtonian temperance societies formed a procession, with banners and badges, and marched to the National Garden on Broadway, where they had a celebration.

In 1843, the following citizens, members of the State Temperance Society, addressed a letter to Drs. Warren, Mott and Horner for their opinion in regard to the drawings of Dr. Sewall, representing the pathology of drunkenness, for the use of schools: Azor Taber, Ira Harris, I. N. Wyckoff, B. T. Welch, Erastus Coming, B. R. Wood and Barent P. Staats.

In 1844, was instituted Albany Division, Sons of Temperance, No. 24.

July 4, 1845, temperance societies celebrated the day with enthusiasm. Samuel G. Courtney and John H. Carroll delivered orations, and Jacob C. Cuyler read the Declaration of Independence.

In the year 1846, Tivoli Temple of Honor and Temperance, No. 22, was organized. Albany Social, No. 22, was connected with this temple.

During 1844 and 1846, these several temperance organizations were instituted: I. O. of Rechabites—Forest Tent, No. 75, and Sche-negh-ta-da Tent, No. 304; Order of Social Circle—Albany Circle,

No. 1, Constellation Circle, No. 4; Albany Dorcas Temperance Society; and Albany County Temperance Society.

June, 1849, the Temperance Pavilion, a large tent, was erected in North Pearl street by Mr. Van Wagner, the "Poughkeepsie Blacksmith," in which were held meetings that were crowded to excess.

In 1849, Father Mathew, the Irish orator and apostle of temperance, came to Albany and delivered lectures to great multitudes of people. His intense discourse and fervent appeals touched the hearts of many. His mission was successful, and the good he wrought has borne fruit for all the years since.

October, 1851, a City Temperance Society was organized, with Bradford R. Wood as President.

During Father Mathew's second visit to Albany in 1851, at one of his meetings, September 19th, Mrs. Susannah C. Maguire, wife of Martin J. O'Heaney, signed pledge numbered 6,100,990. This represented the number of pledges given to him at that date.

January 27 and 28, 1852, State temperance society and temperance organizations of the city held meetings which were attended by large numbers. Many persons were turned away for want of room. Great enthusiasm prevailed. Albany Social, No. 22, was organized.

October, 1852, State Temperance Convention.

January 19, 1853, temperance meetings were held in the city churches, with crowded houses.

January 21, 1853, a delegation of the Women's State Temperance Convention was permitted to enter the Assembly Chamber for the purpose of presenting memorials signed by 28,000 persons, petitioning for the abolition of the sale of intoxicating liquors.

April 10, 1855, the Delavan House was splendidly illuminated, on the occasion of the passage of the temperance bill, and a supper was given to the friends of the measure.

January 7, 1861, a lecture was given at Tweddle Hall by Professor Amasa McCoy, on the "Curious and Humorous Phases in the History of Temperance," and a City Temperance Society was organized, with Rev. Dr. I. N. Wyckoff, President; Jasper T. Hazen, Corresponding Secretary; Wm. Headlam, Recording Secretary; Wm. McElroy, Treasurer; and Philip Phelps, Auditor.

July 4, 1869, was celebrated in a fine grove on the farm of Rensselaer Markle, near the village of New Salem, by the several divisions of Sons of Temperance in the county. A large concourse of people assembled in the grove to partake of the

bounties spread before them by the generous hearts and hands of the Sons and Daughters. A spirit of enthusiasm, mingled with enjoyment, prevailed. The speakers were Revs. A. A. Farr, J. G. Noble and others.

In 1869, a series of temperance meetings, conducted by the Christian Temperance Committee, were held in Washington Park and elsewhere on Sunday afternoons. Among the speakers were Dr. Wilson, of Albany, who delivered several addresses.

St. Joseph's Total Abstinence Society, of Albany, owes its origin to the zeal and perseverance of Messrs. James J. Hartwell and James Wilkinson. The organization was perfected January 13, 1870, under the title of St. Joseph's Temperance Society. During the year 1875, the members thought the word Temperance did not clearly indicate the scope of the society, and the name was changed to its present title.

The society holds weekly meetings in St. Joseph's Hall, corner of North Pearl and Colonie streets. It uses the Father Mathew Pledge, as follows: "I solemnly promise, with Divine assistance, to abstain from all intoxicating liquors, and to prevent, by advice and example, intemperance in others." Wine and cider are strictly prohibited.

The present officers are James H. Dulin, President; John J. McMahon, Vice-President; M. F. McGowan, Recording Secretary; Wm. Sennett, Financial Secretary; James J. Hartwell, Treasurer; R. J. Kelly, Clerk; Patrick Costello, Marshal.

Another society, connected with St. Joseph's Church, meets in St. Joseph's Hall, of which Thomas Murphy is President. St. Mary's Guild meets in St. Mary's Church, corner of Pine and Chapel streets; J. J. Franklin, Regent.

Societies throughout the county have been numerous. Some maintained their organizations for many months, and then disbanded, to be again reorganized through the efforts of lecturers, many of whom have addressed large audiences in the rural districts.

In the summer and autumn of 1878, Mrs. T. L. Courtney lectured in several of the townships under the auspices of the Women's Christian Temperance Union, and organized auxiliary societies. At the present time there is in West Troy a Lodge of Good Templars and a Women's Christian Temperance Union.

Green Island has a Lodge of Good Templars, of which John P. Lansing is presiding officer; and Cohoes has a Women's Christian Temperance Union; also a Gospel Temperance Association.

The pledging of men and women against the manufacture, sale and use as a beverage of all that can intoxicate, has been the foundation of all these societies. For this purpose we have Women's Christian Temperance Unions, The Sons of Temperance, The Temples of Honor, The Good Templars, Father Mathew Societies, Blue Ribbon Leagues, and many other organizations with records of two-score years or more of labor in the cause of total abstinence.

In the past fifty years the people of this county have witnessed great changes in the customs, habits and public sentiment wrought through the efforts of these societies. At that time the use of ardent spirits was well nigh universal, and men of all classes and professions indulged freely without losing caste. Then officers and members of churches considered it no impropriety. Ordinations, weddings, christenings, funerals, and in fact every assembly and gathering was considered incomplete without a plentiful supply of spirituous liquors. But these customs of the people have undergone a change, and reform marks a higher standard of sobriety and moral intelligence.

A brewery was erected in Albany, on the Rutten-Kill, as early as 1637, with the exclusive right to supply retail dealers with beer. About the beginning of the present century, Mr. Gill was proud of the fact that he produced 150 barrels of beer yearly in Albany. During the year 1883, there was manufactured in this county 353,133 barrels, or 11,123,689 gallons, of malt and brewed liquors; and for the year 1884, 369,977 barrels, or 11,654,275 gallons. The several malt-houses, during the year, manufacture about 1,200,000 bushels of malt, with a capacity for 1,500,000 bushels.

There are not less than 1,200 places in Albany where distilled and malt liquors are sold; in Cohoes, 160; West Troy, 140; Green Island, 40; and in the several towns about 100, making a total of nearly 1,650 licensed and unlicensed resorts for the sale and traffic in these beverages.

From the Supervisor's Report of Albany Penitentiary for 1884, the following facts and figures are taken: Total number received, 2,270. Of this number, 658 were from Albany County. Of the 2,270, 1,894 admitted themselves to be intemperate.

## SECRET TEMPERANCE ORDERS.

### SONS OF TEMPERANCE.

THE organization called Sons of Temperance was brought into existence in the City of New York September 29, 1842, and consisted of sixteen members. Not long after this event, Selick Slawson, a member of the Washingtonian Society of Albany, brought this new organization to the attention of his associates, who became pleased with its methods. A subordinate division was instituted here March 7, 1844, by Grand Deputy John W. Edmonds, under the name of Delavan Division. The name was changed, December 23, 1844, to Albany Division, No. 24, Sons of Temperance.

The installation took place in the building then standing corner of State and South Pearl streets, now occupied by the Globe Hotel. Its charter members were Thomas Mygatt, Smith Quackenbush, John C. Ward, Selick Slawson, Alexander Shepherd, Jacob Wetzell, Daniel Luscom, Joseph Courtright, Allen Adams, and John W. Dean. These, with others, were duly initiated. Its first officers were: Thomas Mygatt, W. P.; John C.

Ward, W. A.; William C. Schuyler, R. S.; Daniel Salisbury, A. R. S.; Smith Quackenbush, T.; John King, Chap.; Jacob Wetzell, A. C.; Selick Slawson, I. S. Most of the members had been members of the Washingtonian Total Abstinence Society. After forty-one years of action and faithful membership in this and other societies, two of the charter members are among the living—John C. Ward and Selick Slawson.

The present officers of this division are James Kelly, W. P.; Charles Sexton, W. A.; A. P. Thayer, Chap. The division meets at 586 Broadway, opposite Delavan House.

For the years intervening between 1865 and 1875, the growth of this order in the county was rapid. Numerous divisions were instituted and the membership increased, including many men of prominence and influence. In 1865 there was one division; in 1868, nine; and in 1872, twenty-four divisions in the county.

After this the decline was as rapid. Interest in the good of the order and attendance upon its regular services were neglected. In some instances

jealousy and dissensions arose, and the disbandment and surrender of charters followed. Of the many once flourishing divisions in the county, only one now exists, No. 24, of Albany City, the first one instituted.

### THE TEMPLE OF HONOR.

The first Temple of Honor was organized in December, 1845, by prominent Sons of Temperance. Although in its infancy as compared with other societies embodying benevolent features, it has steadily advanced until temples have been reared in every State, and Albany records five temples and councils in working order.

The Temple of Honor is a secret organization, and has its signs, grips, and other tests to secure friendship and protection, and enable brethren to recognize each other whenever and wherever they chance to meet.

In the council department of the order are conferred the three degrees of Love, Purity and Fidelity, and the sublime, solemn and impressive degrees of Tried, Approved and Select Templars are adorned with appropriate paraphernalia.

Every member of the order in good standing who can pass a medical examination, may become a participant in the endowment fund.

The Junior Templars of Honor is an order where youths are taught the principles of total abstinence from intoxicating drinks, obedience to the laws of God, parents, and country. No boy under twelve is admitted, and he must possess a good moral character, and use no profane, improper or indecent language. At the age of fifteen the boy may be initiated into the Degree of Honor; and any Junior Templar on arriving at the age of eighteen years may be received into membership in the Temple of Honor.

The Social Department is where women can join hands in this labor of love. All worthy Templars and all ladies of good moral character are eligible to this department, to which are attached three degrees.

The following are the subordinate temples in the County in working order:

Tivoli Temple of Honor, No. 22, organized at Albany City, 1846; meets at 586 Broadway. Wm. H. Mogridge, W. C. T.; C. H. Meyer, W. V.; O. C. White, W. R.; A. P. Thayer, Chaplain. Among its first members were Daniel L. Weaver, David Rose, Selick Slawson, Elisha Mack, and John Reid.

Excelsior, No. 23, Albany City, organized 1866; meets in Lavantall's Hall. Officers: J. Edward

Stremple, W. C. T.; Wm. S. Pattison, W. V.; A. C. Van Vorst, W. R.

Capitol Council, No. 4, Select, Albany, organized 1866. Officers: A. P. Thayer, C. of C.; O. C. White, R. of C.; John Reid, Chap.

Itruria Council, No. 3, Select, Albany, organized 1868; meets 66 South Pearl Street. Officers: J. Halley Lindsay, C. of C.; Wm. S. Pattison, R. of C.

D. J. Johnson Temple of Honor, No. 33, Cohoes, organized 1873. George Mathews, W. C. T.; Archibald McLean, W. V.; David White, W. R. In 1872, there were three temples, three councils and two social temples.

The Grand Temple of Honor has been represented in its sessions by the following Albany members: Elisha Mack, G. W. Vice-Templar; J. Halley Lindsay, G. W. Usher; A. P. Thayer, G. W. Chaplain.

### INDEPENDENT ORDER OF GOOD TEMPLARS.

In the year 1851, Daniel Cady, of Poughkeepsie, came to Utica and instituted an order known as the Knights of Jericho. There were three lodges of this order in Oneida County. The lodge at Utica had, among other members, L. E. Coon, J. E. N. Backus and Thomas L. James, afterward Postmaster-General. The order had a fantastic initiatory ceremony and did not please some of the members. One evening, L. E. Coon made a motion to change the name to the Good Templars. After some debate the motion was carried, and in two weeks eight lodges were instituted. Thus was organized in New York State the first lodges of this order.

The first Good Templar paper was the *Crystal Fount*, published at Hamilton, N. Y., by T. L. James and others.

On August 11, 1852, a Grand Lodge was formed at Syracuse, with Nathaniel Curtis, G. W. C. T.

The revised ritual was written by Rev. Dr. D. W. Bristol, of Ithaca; accepted by the Grand Lodge, without alteration, in 1853. Regalia was provided and the State divided into districts. Thus was the order fully established and prepared for that wonderful growth which it has enjoyed for so many years. The degrees were written by Dr. Bristol, and this year, in December, at a convention held in Pennsylvania, a seal was adopted, with a device representing the three great principles of this order: Faith, Hope and Charity.

This order takes the broadest ground upon all questions connected with the temperance reform. The following platform was adopted at the annual session in 1859:

1. Total abstinence from all intoxicating liquors as a beverage.

2. No license, in any form or under any circumstance, for the sale of such liquors to be used as a beverage.

3. The absolute prohibition of the manufacture, importation and sale of intoxicating liquors for such purposes. Prohibition by the will of the people, expressed in due form of law, with the penalties deserved for a crime of such enormity.

4. The creation of a healthy public opinion upon the subject by the active dissemination of truth in all the modes known to an enlightened philanthropy.

5. The election of good, honest men to administer the laws.

6. Persistence in efforts to save individuals and communities from so direful a scourge, against all forms of opposition and difficulty, until our success is complete and universal.

Women are admitted and are entitled to all the honors of the order. In the obligation, initiation and solemn ceremonies of this organization, signs, grips, pass-words and signal raps are used, with pledges of secrecy.

In May, 1867, a resolution in favor of juvenile societies was adopted, and in 1870, the Cold Water Temple was adopted.

The order in the county was tardy. Not until 1867 was a lodge instituted, and that owed its existence and much of its prosperity to Andrew S. Draper, a representative of Albany, who stands as high as any living Good Templar in the regard of the order.

Hon. A. S. Draper was initiated into the order December, 1866, at Westford, Otsego County, and in July, 1867, he assisted in the organization of the first Good Templar Lodge in Albany County, named Harrison Lodge, and became its first W. C. T.

At the Rochester session, in 1869, he was elected a member of the first Board of Managers. In 1873 he was elected G. W. Counselor, and in 1874 and 1875, G. W. Treasurer. In 1876, at the Saratoga session, he was honored with the highest office in the gift of the Grand Lodge. At the thirteenth annual session of the Grand Lodge of New York, held at Elmira, August, 1877, he presided as G. W. C. T. At the Cooperstown session of the Grand Lodge, he was, for the fifth time, elected G. W. C. T. In 1879, at the R. W. G. L., held at Detroit, he was elected R. W. G. Counselor. He resigned the office of G. W. C. T., January 1, 1881, having been elected a Member of Assembly, but in August, 1882, attended the Grand Lodge session at Ithaca as P. G. W. C. T. He has many times been a representative in the R. W. G. L.

About thirty lodges have been instituted in the County, some of which have ceased to exist.

Albany County Lodge was instituted 1869. Holds meetings quarterly and annual meetings in September. The present officers are: C. C. T., John B. Hilton; C. S., Fred. F. Wheeler; C. D., Richard Kennedy; G. D. D., Rev. C. I. Wilcox. At the session of the Grand Lodge of New York, held at Elmira, August, 1877, Albany County reported nine subordinate lodges, and the county was represented by Andrew S. Draper as G. W. C. T.; Alden Chester and George H. Niver, Representatives. At the annual session of the Grand Lodge, held at Ithaca, August, 1882, Albany County reported twenty-one subordinate lodges. At this session Mrs. George H. Niver was elected General Superintendent of Juvenile Temples, and, with A. S. Draper, P. G. W. C. T., were officers of the Grand Lodge. The county was represented by Alden Chester.

Mrs. George H. Niver, C. S., Albany, reports for the year 1882, nine juvenile temples in the county.

## THE OLD STADT HUYS.

THIS venerable building has been used as a City Hall, a County Court Building and Prison, and as a State House. It was also the place where conventions, councils, and other gatherings of a public nature were held in the elder days. From its uses it may properly be counted among the county institutions. It stood on the northeast corner of what is now Broadway and Hudson avenue, just inside the stockades. It is uncertain at what exact period it was erected; but, as near as the time can be ascertained, it was about 1635, while the Colony of New York was under the control of the

Dutch. We are led to the belief that this was the time of its erection from some minutes in the journals of Wouter Van Twiller, the sixth Dutch Governor of the province. It is certain that some punitive building was erected on that spot under the direction of Van Twiller that year. As Albany was then a frontier trading town, a substantial building for Courts of Justice, in which should be a proper prison for the confinement of criminals and desperadoes, was necessary. According to an account given of it in 1646, it was a substantial, and, for that time, large, solid, three story building,

the lower story being of stone, which was used as a jail. The building was surmounted by a cupola or belfry, from which rose a vane ornamented with a gilt ball. In the belfry was a bell brought from



THE OLD STADT HUYS OR CITY HALL.

Holland, and placed there soon after the completion of the building. For nearly one hundred and sixty years it was rung on all public occasions to sum-

mon legislators, lawyers, judges, and municipal officers to their duties in the rooms below.

After the building was demolished, the bell was placed in the cupola of the new capitol, where it hung for many years, discharging the same duties it had done in the tower of the old Stadt Huys. At last it was taken down. What became of it is somewhat uncertain; it is believed that it now hangs in one of the churches at Ballston, N. Y.

In this building was held the provincial courts under the Dutch and English laws. Here the Common Council held its first meetings after its organization under the Dongan Charter, in July, 1686.

In front of this building, in July, 1776, the Declaration of Independence was read for the first time in Albany, to an immense crowd of people.

This building was, for a time, the Capitol of the State, in which the Legislature under the first constitution held several sessions.

A few years ago a memorial slab was placed in the front walls of the commercial building on Broadway, standing on the spot where this old structure stood, with appropriate addresses and other ceremonies.

## ALBANY COUNTY JAILS.

THE lower story, or basement, of the old Stadt Huys in Albany was used as the jail of the county for many years. It was made of stone, and divided into cells of sufficient strength and size for the confinement of prisoners from the large territory which, for many years, was embraced in the County of Albany. Heavy iron bars or grates protected the windows. The massive doors were made double, of heavy three-inch oak plank, fastened with strong iron bolts. A diamond-shape opening, a foot in size, near the top, let in light and air. These doors were secured by ponderous locks, to turn whose keys required the whole strength of a man.

Chains, with rings and clasps attached, for the more secure confinement of desperate characters, were fastened in the solid stone wall. On the whole, it was a grim, but secure place of confinement. It might have more properly been called a dungeon. After the lapse of years, although some repairs had been made, the building began to assume a dilapidated condition, and that part used as a jail became so insecure that the escape of prisoners from it was a matter of such frequent occurrence, that the High Sheriff, Samuel Babbington, appeared at the Bar at the Court of Sessions, in October, 1718, and formally protested against the jail as follows :

"I urge upon your Worships that care may be taken to have y<sup>e</sup> same Jail sufficiently repaired to keep such bad prisoners as I may take for debt, &c., safely from escaping, as is now often y<sup>e</sup> case."

After hearing the Sheriff's complaint, the Court made the following order:

"It is resolved by this Court, in consideration of y<sup>e</sup> insufficiency of y<sup>e</sup> said Jail, that a letter be forthwith writ to y<sup>e</sup> representative of y<sup>e</sup> General Assembly of y<sup>e</sup> Province, to desire leave of that honorable body now sitting, that they may bring in a bill to raise y<sup>e</sup> same, not exceeding one hundred and forty pounds for repairing y<sup>e</sup> Jail, and that y<sup>e</sup> repairs be directed to y<sup>e</sup> management of y<sup>e</sup> Justices of y<sup>e</sup> Peace of y<sup>e</sup> City and County of Albany, or the major part of them."

There had been several attempts to erect a jail or prison apart from the City Hall. An application of this kind was made to the Common Council in August, 1700. On the 14th of October following, an application having been made to the Supervisors for a new and common jail, the matter came up in February, 1701, and was disposed of as follows :

"Relateing y<sup>e</sup> Prepareing of y<sup>e</sup> Court-house and Common Goall, which y<sup>e</sup> Justices of y<sup>e</sup> Citty and County on y<sup>e</sup> 26th of Feb'y instant Recommended to be laid before y<sup>e</sup> Supervisors, is referred to their Consideration, who of the County Positively Refused to Contribute anything unto y<sup>e</sup> same, alleadging that it must be Repaired out of y<sup>e</sup> 2 per cent.

to Defray y<sup>e</sup> necessary charges of y<sup>e</sup> Citty and County."

Accordingly, the General Assembly passed a general bill for the making or repairing of the jails in the Province of New York.

At a Court of Sessions, held in the City Hall October 7, 1719, the following order concerning the jail of the County of Albany was made and entered in the records of the Court.

"Pursuant to an act of the General Assembly of the Colony of New York, entitled an Act to Authorize y<sup>e</sup> Justices of the Peace to Build and Repair Jails and Court-houses in the Several Counties of the Province, whereby y<sup>e</sup> Justices in each County are Impowered (upon their own view) on any Insufficiency or Inconveniency of their County Jail or Prison, or y<sup>e</sup> Inconveniency of their Court House, to Conclude and agree upon such sum or sums of money, as, upon examination of sufficient and able workmen, shall be thought necessary for building, Finishing and Repairing a Public Jail, etc.

"It is therefore Resolved, that any five or more of His Majestie's Justices shall make a computation with sufficient and able workmen, what a sufficient Jail, etc., for y<sup>e</sup> Citty and County of Albany may cost, and bring a report thereof at the next meeting of this Court and the Justices thereof."

This order caused much discussion in the county, a portion of the people desiring to erect a new court-house and jail, while others were equally desirous that the city hall, and the jail in the basement thereof, should be thoroughly repaired. At length, at the Court of Sessions held in the City Hall, it was decided to repair the State House and Jail, according to the following resolution:

"It is Resolved that the City Hall shall be repaired and an addition be made of fifteen foot in length to the south'd, and in breadth to the Court Hall, and joyned in the roof of the same, made up with boards without as the present old house, with a sufficient stone seller under y<sup>e</sup> same, the north end thereof partitioned off with oak boards. To have one window with cross-iron bars therein, one cross window to the south'ard, one to the eastward and one to the westward in the first room."

The resolution continues:

"The door which stands to the South in the Court Hall, to be removed in the fore room, and in the room above to the south'ard. The gable end of the house to the westward be repaired; the room above the new floor on the top of the old floor with one and one-half inch boards. The windows are to have strong cross iron bars, and the glass windows and wall repaired, all good and sufficient work. Also a convenient place for the Jury to sit in, and the bench for the Justices' seats made larger and more convenient.

"The Justices have agreed with John Wemp to make and repair the said building according to the above dimensions, all well finished, for the sum of

£140, which he promises shall all be done by or before the first of January next."

These repairs were made; but those of the jail were so negligently done that the escape of prisoners from it was still of common occurrence. Henry Holland, Esq., then High Sheriff of the City and County, appeared at the Court of Sessions, October 4, 1721, and represented the insecure condition of the jail. Whereupon the following order was made:

"Henry Holland, Esq., High Sheriff of the City and County of Albany, informs this Court that though the City and County of Albany Jail has been lately repaired, it is still very insufficient, and he desires it may be made sufficient. As it is, it cannot secure any prisoner, as several have gained their liberty by breaking Jail. It is therefore ordered that meet and proper repairs at said jail be at once made under the direction of the said Sheriff."

Substantial repairs soon followed. With occasional and slight repairs, the city hall and jail continued as described until the building was demolished somewhere about the year 1803.

That the lower story of the city hall was occupied for a jail, is evidenced by the fact that there is an account of "the prisoners in the old city hall, which was the jail," celebrating the fifth of July, 1790—the fourth being on Sunday. The fifth toast drank on the occasion was: "May the time soon come when no honest man shall be confined for debt."

In 1791, the Legislature passed a law authorizing the city authorities to raise £2,000 towards the completion of the court-house and jail.

It was some time before this appropriation was agreed to by the city and county authorities; and it was not until 1803 or 1804, perhaps as late as 1809, that the new jail was completed. The premises on which this jail stood occupied about 80 feet on State street; 84 on Maiden lane; and 116 on Eagle street. It was sold at auction on August 11, 1832, in behalf of the trustees of the Albany Academy.

On November 1, 1831, the grand jurors visited the jail, and found it so much out of repair that they recommended to the Board of Supervisors the building of a new jail without the compact part of the city, "inasmuch as this building, which had stood twenty-two years was fast decaying, very illy constructed, and too small in order to health, comfort and convenience, and situated in too thickly settled a locality." There were, at that time, fifty-six persons in confinement. If the jail, according to the above statement, had stood twenty-two years,

then, of course, it must have been built in 1809. We are inclined to the belief that there was some mistake about its having "stood twenty-two years," but that it was built somewhere near 1804, and succeeded the old jail in the Stadt Huys, on the corner of Broadway and Hudson avenue. It was sold at auction, August 11, 1882.

The next jail built, stood on the ground at the corner of Eagle and Howard streets, and was completed in the latter part of the year 1834.

Early in April, 1834, the masons at work upon it struck, but the difficulty was adjusted.

This building was occupied as the county jail until the spring of 1854, when the jail on Maiden lane was erected, and the old jail fitted up with great taste and convenience for a hospital, and opened for that purpose August 8, 1854.

In May, 1854, John Hendrickson was executed in the jail on Maiden lane, for the murder of his wife.

## ALBANY COUNTY ALMS-HOUSE.

THE County of Albany, unlike most other counties in the State, has not made any material distinction between the poor of the towns and the poor of the county. It has no Board of Superintendents of the Poor.

The poor laws are executed by the Superintendent of the Alms-house, Overseers of the Poor, and other charitable institutions.

The office of Overseer of the Poor is one of the most ancient in the State. It existed long before 1703, and has always been very important in the City and County of Albany. The powers of the office were considerably increased by the act of 1703, which continued through the colonial period, and was retained almost intact by the Legislative Act of March 7, 1788. This act makes provision for establishing an Alms-house in Albany. This was the first of the kind known in the State under the laws of the State. The churches had what were known as church or parish alms-houses. Thus, in the act incorporating the Reformed Protestant Dutch Church in the City of Albany, passed August 10, 1720, we find that a certain tenement and lot of ground, commonly called poor-house or alms-house, situated in the First Ward of the City, is described as follows: "Bounded on the south by the High street that leads to the burying-place, to the north of the Rutten Kill, and to the east of Harmon Rutgeis', and to the west by the lot of Garrit Bancker, containing in breadth towards the street that leads to the Lutheran Church by the said Rutten Kill, six rods one foot; and the like breadth in the rear; and in length on the east side eight rods and two inches, all Rhineland measure."

The act of 1788 gave the Overseers of the Poor, with the consent of the towns, power to build, purchase or hire houses for the accommodation of the

poor. It also gave the Overseers power to purchase materials for setting the poor at work, and to appoint proper persons for keepers. It provided that if any poor person refused to be kept in such houses, he or she was denied relief from the town or county. This act was made more favorable to Albany than to other towns.

By an act passed April 2, 1819, the act of 1788 was amended. The powers and duties of the Overseers of the Poor were extended to lunatics, habitual drunkards and poor children. It gave Overseers the right to bind out poor children; power over illegitimate children chargeable to the public; to sue for penalties incurred by bets or wagers, and for penalties under the excise laws.

The Supervisors have the power, under certain restrictions, to abolish the distinction between town and county poor, making them all chargeable to the county.

This law provides that, in those counties where the poor are made a charge upon the counties, there shall be a Superintendent of the Poor, with the same powers and rights as the Overseers of the Poor, in respect to compelling relatives to maintain their paupers, and in respect to the seizure of property. But there are no Superintendents of the Poor in Albany.

The charter of April 23, 1883, and the city ordinances under it, passed May 5, 1884, provide that the Overseer of the Poor of the City of Albany shall have the charge of and shall apply and distribute the funds for the temporary relief and support of the poor of the city. It also provides that the father, mother or children, when of sufficient ability, of a poor person of the City of Albany unable to work by disease or decrepitude, are compelled to maintain or relieve such poor person. The

Overseers of the Poor of Albany shall exercise and perform the same powers and duties, relative to compelling such relatives to afford such relief, as are in like cases vested in and exercised by Overseers of the Poor of the respective towns of the County of Albany.

By the Act of the Legislature passed May 24, 1884, it is made the duty of the Overseers of the Poor of the several towns of the County of Albany; of the Village of West Troy; of the City of Cohoes; and of the City of Albany, whenever any idiot, lunatic person of unsound mind, deaf mute or pauper within the jurisdiction of the said officers respectively, whenever any such person shall become chargeable to the county, and shall be lawfully liable to be committed to the alms-house or asylum, or other place for the safe keeping of such person or persons, to take and deliver him or her to the alms-house in said city, under certain conditions and restrictions provided by statute. Superintendents to make quarterly reports to County Treasurer, giving full details of all circumstances and expenses of the asylum. Whenever any child shall be in danger of becoming a charge upon the County of Albany, the Overseers of the Poor having jurisdiction of the place of residence to take the child before some magistrate, who shall examine such child and its parents and other persons, touching its age, condition, and the condition of the poor parents, and all other circumstances connected with the child; and if the circumstances warrant it, may be placed in the alms-house under the restriction of the act.

The present Alms-house is situated on the road south of Washington Park, and west of the Penitentiary. There is a very finely cultivated and productive farm of 116 acres belonging to this institution, known as the Alms-house Farm. The productions of this farm, besides furnishing fine vegetables and some fruit for the poor establishment, are a source of some income.

Connected with the Alms-house are the poor-house, lunatic asylum, hospital, pest-house, etc. This is the poor establishment of the city and county, the former paying sixty and the latter forty per cent. of the cost of maintenance. Under the State charitable laws, paupers who have not been residents of any county for sixty days are called State paupers, and are received here and boarded at the rate of \$2.50 per week, chargeable to the State.

By the statutes, the Superintendents of the Alms-house are required to make annual reports to the

Secretary of State on or before the 10th day of January of each year, covering the year ending November 30th.

The lands granted the city under the Dongan charter of 1686 have all been alienated by the city, excepting the 116 acres known as the Alms-house Farm, and what was known as the Washington Parade Ground on Willett street, and the old burying-ground on State street, both included in Washington Park.

The Alms-house is under the management of an officer called the Superintendent of the Alms-house.

The City Physician has the right to purchase any stores, drugs, medicines, or articles required by the institution, under the direction of the Superintendent of the Alms-house.

The general regulations of this poor establishment are admirable. Perfect care and scrutiny is directed to the health, cleanliness, and comfort of the paupers, who are carefully distributed in different rooms—persons of different sex in different rooms.

When a child attains the age of two years, it is placed in the children's department.

Profane or indecent conversation, quarreling, drunkenness, disorderly conduct at meals, and criminal or immoral conduct of any kind are strictly forbidden in or about the Alms-house. Suitable and wholesome punishment for the above offenses is provided.

All paupers who are able are kept employed without compensation.

Careful medical attendance and nurses are provided for the sick, both adults and children.

Children belonging to the Alms-house of suitable age, attend the school established for their instruction, and are instructed in reading, writing, and arithmetic. The girls are taught plain needle-work and knitting, and when they arrive at the proper age are bound out to suitable trades or occupations.

The paupers are suitably clothed and have a change of linen at least twice every week during the year. The linen of the paupers is numbered and is distributed among them.

Careful attention is paid to cleanliness, to ventilation and airing of the rooms, clothes, beds, etc. All the fuel required is distributed throughout the Alms-house. The meals are served at stated hours in a clean and decent manner.

Spirituous liquors are not allowed in the Alms-house except by order of the attending physician.

At nine in the evening the fires and lights throughout the Alms-house are extinguished, except in the hospital and asylum.

The inmates of the Alms-house assemble for religious worship in the chapel every Sabbath at the hours of ten A.M. and two P.M. Some person or persons appointed by the Superintendent reads suitable forms of prayer, approved sermons, and portions of scripture at such meetings.

In the morning some clergyman of the city, of the Protestant faith, and in the afternoon a clergyman of the Catholic faith, conducts religious services in the chapel each Sunday.

Some of the buildings are old and time-worn, but are kept in as comfortable condition as the circumstances will admit. They were first erected in 1826, at a cost of \$14,000. The number of persons occupying it that year were as follows:

White females between the ages of 19 and 80, 44; of these 13 were sick and lame and 3 insane.

Thirty-eight children between four months and eight years of age.

Three black males between the age of 45 and 80; 8 black females between the age of 35 and 80; and 30 white males; in all, 123.

The architect of the Alms-house was Henry W. Snyder.

In the Report of 1857, the Alms house, or Poor Establishment, is described as follows: "It embraces four buildings constructed of brick, two stories in height above the basement; one in size, 40 x 70 feet; and two others, 32 x 90 feet; connected with a farm of 216 acres, yielding an annual revenue estimated at \$6,000. The basements of one building are used for domestic purposes; the others are unoccupied.

"In the Poor-house proper are ten rooms, warmed by furnaces and stoves, but with but little ventilation.

"This building was erected thirty-four years ago. From 6 to 40 paupers were placed in a single room. The whole number of inmates was 319: 120 males, 299 females. Of these three-fourths were foreign born."

In the asylum are fifty insane paupers. All incurables are sent to the asylum at Ovid. A pest-house has been erected on the outer limits of the farm, which will accommodate about fifty persons.

The unclaimed dead of the streets, the river, and penitentiary are buried in these grounds, and the cattle and geese are here impounded.

Visitors are admitted every day except Sunday.

Albany has been for some time burdened with paupers who are not properly charges for the county. The West Shore Railroad, when nearing the completion of its road, discharged a number of its laborers near the city, most of whom were suffering from

malaria or similar disease. The city being the terminus of the canal, draws many known as alien paupers to Albany, where they apply for aid. If sent for any reason to the Penitentiary, after serving for sixty days, they remain in Albany and apply to the Overseer of the Poor for aid. If by physical or mental defect they need care, Albany County cares for them. In tracing their records, some are found to have been paupers in other cities and in other States.

The number of inmates in the Alms-house Department April 30, 1884:

Remaining at the last report.....	254
Admitted during the quarter.....	110
	<hr/> 364
Discharged during quarter.....	103
Absconded.....	19
Died.....	9
Insane transferred to State Asylum.....	2
Sick transferred to City Hospital.....	1
Sick transferred to St. Peter's Hospital..	1
Alien transferred to Italian Consul. . .	1
Alien transferred to Commissioners of Emigration.....	1
Children adopted.....	1
	<hr/> 138

Inmates April 30, 1884..... 226

Of those admitted during the quarter there were males, 72; females, 38.

Total number of weeks' board furnished during the quarter, 3,274; increase over last quarter, 254.

The cash receipts for the quarter, \$165.39; expenditures for the quarter, \$5,381.71; average cost per day for each pauper was twenty-nine cents.

The employees of the Alms-house are: Overseer, monthly salary, \$50; baker, monthly salary, \$25; teamster, monthly salary, \$30; night watchman, monthly salary, \$60; hostler, monthly salary, \$15; cook, monthly salary, \$16; hospital cook, monthly salary, \$5; hospital nurse, monthly salary, \$20; hospital nurse, monthly salary, \$5; two hospital nurses, each, monthly salary, \$3; keeper of asylum, monthly salary, \$50; matron, monthly salary, \$20; cook, monthly salary, \$5; carpenter, monthly salary, \$50; farmer, monthly salary, \$30; matron, monthly salary, \$20; children's nurse, monthly salary, \$5.

The report claims that the amount expended for the support of alien paupers for the last twelve months would have kept the institution in hospital supplies for a year.

Superintendent, John McKenna.

Inmates July 31, 1884, 184; inmates October 31, 1884, 198. Of those admitted 92 were males; 52 females. Average cost of maintenance per day, each, thirty cents.

Cash receipts for the quarter, \$183.30.

The amount paid into the city treasury by the Superintendent of the Alms-house, for the year ending October 1, 1884, was \$19,649.81.

The amount paid towards the maintenance of Alms-house from the treasury, \$30,104.49.

On December 5, 1884, a resolution was passed by the Board of Supervisors to levy a tax, to be applied in several ways, among which was an appropriation of the sum of \$26,000 for the Alms-house for the ensuing year, and also \$2,000 to meet the deficiency of the past year.

## ALBANY PENITENTIARY.

A BILL passed the Legislature incorporating the Albany Penitentiary about April 9, 1844, and on December 19th of that year the Supervisors directed a proper site to be purchased for the erection of the buildings. In 1846, it was first opened, the work on the building having been done principally by prisoners, who were taken to and from the jail each day. It is situated in a park of about fifteen acres, located south of Washington Park.

Amos Pilsbury, of Connecticut, was appointed Superintendent in 1844, and continued in office until his death, in 1872. No essential change has been made in the working plans of the institution, as put into practice by him with such wonderful success as to gain a world-wide admiration. It cannot be detailed in our space. The silent or Auburn system was adopted at the beginning. The prisoners are marched in lock-step to and from their work, and are not permitted to converse with each other. They are kept at work. Some are employed in the manufacture of brushes and chairs, but the chief employment is in the shoe shops.

A great source of financial success in this institution comes of receiving prisoners from other counties. Contracts are made with the Supervisors of other counties for the board and care of their criminals. Many have also been received from the United States Courts. For these board has been paid to this Penitentiary. These prisoners have been put at work, and their labor is let to contractors at remunerative wages.

Originally the prison had but 90 cells; now it has 625. The building has been enlarged to nearly six times its original dimensions. New work-shops have been erected, and the whole yard has been inclosed by a high wall.

The greatest number of commitments is caused by intemperance. In 1855, there were 801 commitments. Of these 771 admitted themselves to be intemperate.

The prisoners are confined in separate cells at night, but work in the shops during the day. The discipline seems almost perfect.

In 1872, General Pilsbury died, and was succeeded by his son, Louis D. Pilsbury, who, by continuing to improve in conducting the system begun by his father, brought the institution to its present prosperous condition. He has, since leaving this Penitentiary, been in charge of the institution on Ward's Island, and been Superintendent of all the New York State Prisons. Mr. John McEwen, since 1879, has held the position of Superintendent.

Each year the Penitentiary pays into the treasury a handsome surplus from the earnings of the institution, and thereby lessens taxation throughout the county. Under the present Superintendent the amount paid to the credit of the county in actual money is about \$75,000.

All short-term prisoners are cared for without expense to the county. Without the Penitentiary, it is estimated that the expense to the county would be at least \$50,000 per annum.

The following is a summary of statistics from the Report of the Superintendent, filed with the Clerk of the Board, February 3, 1885:

The number of prisoners received during the year has been 2,270; added to those in confinement October 31, 1883, 837; making a total of 3,107. Discharged by expiration of sentence, 2,012; pardoned by President, 4; discharged by order of Secretary of War, 2; pardoned by Governor, 6; commuted by Governor, 1; discharged by remission of fines, 8; discharged by court or magistrate, 25; discharged by appeal, *certiorari*, etc., 22; discharged by payment of fine to justices, 113; died, 15; total discharged during year, 2,208; leaving in confinement October 31, 1884, 899.

Of these 785 were males, 114 females. Of the above number received during the year there were: Males, 1,962; females, 308; total, 2,270.

Of these there were born in the United States, 1,480; Ireland, 409; Germany, 115; England, 90; Scotland, 25; Canada, 75; France, 10; Italy, Poland, Wales and Norway, 17; Sweden and Switzerland, 20; Denmark, Holland and Newfoundland, 4; Prussia, Australia and New Brunswick, 8; Russia, Nova Scotia and Prince Edward's Island, 17; total, 2,270.

Of these 1,644 could read and write; 216 could read only; 410 could neither read nor write; 1,894 admitted themselves to be intemperate; 376 claimed to be temperate; 822 were or had been married; 1,448 were single; 379 were sent from the City of Albany; 179 from the town of Watervliet; 1 from Bethlehem; 98 from the City of Cohoes.

Of these 1,398 were sentenced for a term less than six months; 578 for six months each; 57 from seven months to one year; 84 for one year; 20 for one year, and fine from \$100 to \$500; 46 for terms over one year, not exceeding two years; 38 for over two and not exceeding three years; 29 for

three and not exceeding four years; 16 for four years, not exceeding five; 13 for terms from six to ten years; 1 for life. 273 were under twenty years of age; 906 were between twenty and thirty years; 527 were between thirty and forty years; 318 were between forty and fifty years; 246 were over fifty years.

Early in the Legislature of 1885, a bill was introduced to relieve the Board of Supervisors of Albany County, and the Mayor and Recorder of the City of Albany, from all responsibility in regard to the maintenance and care of the Penitentiary. On May 11, 1885, the bill became law.

The Penitentiary Commission consists of D. Cady Herrick, District Attorney; John Battersby, County Treasurer; and John Reilly. The Penitentiary has been under their control since May, 1885. The Superintendent receives a salary of \$3,000 per annum. A deputy, two clerks, three matrons and several subordinates are employed. The shops are in immediate charge of faithful overseers.

## LEGISLATIVE OFFICERS FROM ALBANY COUNTY.

### SENATORS.

UNDER the first Constitution of the State, the Senate consisted of twenty-four members, apportioned among four great districts. After the first election they were divided by lots into four classes, so that the terms of six should expire each year. An additional Senator was to be added to each district whenever, by a septennial census, it was shown that the number of electors in the district had increased one twenty-fourth. This increase was to be allowed till the number reached one hundred. The census of 1795 made the number forty-three. In 1801, the rule being found unequal in its operation, the Constitution was amended so as to fix the number of Senators permanently at thirty-two, which has ever since been retained. By the Constitution of 1821, the State was divided into eight great Senatorial districts, each of which was entitled to four Senators, one being elected every year. Their term of office was four years. Under the present Constitution the State consists of thirty-two Senatorial districts, in each of which a Senator is

elected each odd year. The Senate district must consist of contiguous territory, and no county can be divided unless entitled to two or more Senators.

Abraham Yates, Jr., 1777-90; Dirck W. Ten Broeck, 1777-78; Anthony Van Schaick, 1777-78; Rinier Mynderse, 1777-78.

The first session of the Legislature of this State was in 1777, assembling at Kingston, September 9th. On October 7th following it was dispersed by the British troops. The second meeting of this session was held at Poughkeepsie, beginning January 15th and ending April 4, 1778.

Rinier Mynderse, 1778-81; Dirck W. Ten Broeck, 1778-83; Philip Schuyler, 1781-84, 1786-88, 1792-97; Henry Oothoudt, 1782-85; Volkert P. Douw, 1786-93; Peter Schuyler, 1787-92; Leonard Gansvoort, 1791-93, 1797-1802; Stephen Van Rensselaer, 1791-95; Anthony Ten Eyck, 1797-1801; Anthony Van Schaick, 1797-1800; Abraham Van Vechten, 1798-1805, 1816-19; Francis Nicoll, 1797-98; John Sanders, 1799-1802; Stephen Lush, 1801-2; Simon Veeder, 1804-7; John Veeder, 1806-9; Joseph C. Yates,

1806-8; Charles E. Dudley, 1820-5; John McCarty, 1827-30; Peter Gansvoort, 1833-6; Friend Humphrey, 1840-1; Ira Harris, 1847; Valentine Tredwell, 1848-49; Azor Taber, 1852-53; Clarkson F. Crosby, 1854-55; John W. Harcourt, 1856-57; George Y. Johnson, 1858-59; Andrew J. Colvin, 1860-61; John V. L. Pruyn, 1862-63; Lorenzo D. Collins, 1866-67; A. B. Banks, 1868-69, 1870-71; Charles H. Adams, 1872-73; Jesse C. Dayton, 1874-75; Hamilton Harris, 1876-79; Waters W. Braman, 1880-81; Abraham Lansing, 1882-83; John B. Thacher, 1884-85.

#### MEMBERS OF ASSEMBLY.

Gerrit Abeel, 1796; Mathew Adgate, 1780-85; Flores Bancker, 1779-80; Thomas E. Barker, 1798-99; Daniel D. Barnard, 1838; Frederick Bassler, Jr., 1840; George Batterman, 1825; John Bay, 1779-80; Abraham Becker, 1784-85; John Beekman, Jr., 1804; John H. Beekman, 1782-83; John James Beekman, 1780-83; Sidney Berry, 1791-92; James Bill, 1796-1800; Harmanus Bleeker, 1814-15; David Bogardus, 1807, 1812-13; Leonard Bronck, 1786-93; Abraham Brooks, 1823; John Brown, 1808-9; Jonathan Brown, 1791; Jesse Buel, 1823; Daniel Burhans, 1804-6; John H. Burhans, 1808-9, 1816-17; Benjamin F. Butler, 1828; Asa Colvard, 1806-7, 1811-12, 1820; John Colvin, 1810; Philip Conine, Jr., 1796-97, 1800; Clarkson F. Crosby, 1845; Abraham Cuyler, 1784; Jacob Cuyler, 1777-78; John Cuyler, Jr., 1777-78; John Davis, 1839; Adam Deitz, Jr., 1804-6; Johan Jost Deitz, 1798-1804, 1807-9, 1811-14; Johannes Deitz, 1792-96; David Delong, 1811; Abijah B. Disbrow, 1832; John A. Dix, 1842; David Dorman, 1836; Prince Doty, 1798-1802; James C. Duane, 1796-97; William A. Duer, 1818-19; John Duncan, 1788-89; Peter Flagler, 1840; Jellis A. Fonda, 1792-94; Jacob Ford, 1781-85; Sylvester Ford, 1814-15; Michael Freeligh, 1816; Abel French, 1810; Philip Frisbie, 1781-82; John Frisby, 1803; John Fuller, 1847; John I. Gallup, 1847; Leonard Gansvoort, 1778-79, 1788; Leonard Gansvoort, Jr., 1795; Peter Gansvoort, 1830-31; James D. Gardner, 1829; John Gibbons, 1812-13; Henry Glen, 1786-87; James Gordon, 1777-81, 1784, 1786-90; Theo. V. W. Graham, 1794; Daniel Hale, 1807; Willis Hall, 1843; Isaac Hamilton, 1827; Ira Harris, 1845-46; John Haswell, 1827; And. N. Heermance, 1798-99; John V. Henry, 1800-2; Jacob Hotchstrasser, 1794-97; Gerrit Hogan, 1820-21; Lawrence Hogeboom, 1786; James Holcomb, 1796-97; Aaron Hough-

taling, 1841; W. D. Houghtaling, 1819; Cornelius Humphrey, 1779-80; Thomas Hun, 1794-95; Elishama Janes, 1812-13; Jonathan Jenkins, 1808-9, 1820; Richard Kimmey, 1837; Francis Lansing, 1841; John Lansing, Jr., 1780-84, 1786-89; Jeremiah Lansingh, 1798-99; Philip Lennebacker, 1832; Leonard Litchfield, 1845; Aaron Livingston, 1834; Edward Livingston, 1833, 1835, 1837; John Livingston, 1786-87; Peter R. Livingston, 1780-81; Walter Livingston, 1777-79, 1784-85; James S. Lowe, 1830; Samuel S. Lush, 1825-26, 1830; Stephen Lush, 1792-93, 1803-6; David McCarty, 1792; James McKown, 1820-22; William McKown, 1822; Hugh Mitchell, 1779-80; Nich. V. Mynderse, 1804-5; Francis Nicoll, 1792-93; 1796-1800; William North, 1792, 1794-95; Nathaniel Ogden, 1796-98; Henry Oothoudt, 1779-80; Volkert D. Oothout, 1822; John I. Ostrander, 1816-17; Cornelius G. Palmer, 1842; George Palmer, 1781-82; Stephen Platt, 1794-95; William Powers, 1787; John Price, 1814-15, 1820; John Prince, 1796-98; Henry Quackenboss, 1779-80; Edmund Raynsford, 1838; Abraham Rosecrantz, 1823; James Sacket, 1818; J. W. Schermerhorn, 1791; Maus Schermerhorn, 1803-4; John Schoolcraft, 1816; Jacob Schoonhoven, 1786; John C. Schuyler, 1836; Peter Schuyler, 1784; Peter S. Schuyler, 1802-4, 1820; Philip P. Schuyler, 1796-99; Stephen J. Schuyler, 1777-79; David G. Seger, 1835; Jacob Settle, 1833; Paul Settle, 1838; William Seymour, 1832, 1836; Thomas L. Shafer, 1846; Levi Shaw, 1844; Israel Shear, 1833; John P. Shear, 1822; Jonas Shear, 1842; Joseph Shurtleff, 1798-99, 1800-2, 1804-7; Thomas Sickles, 1787-88; Richard Sill, 1789-91; William N. Sill, 1828; John I. Slingerland, 1843; Jesse Smith, 1816; Moses Smith, 1804-5, 1814, 1820-21; Barent P. Staats, 1834; Chandler Starr, 1829; Archibald Stephens, 1824; Samuel Stephens, 1844; John Stillwell, 1824; Henry Stone, 1827; Dirck Swart, 1780-85; Gideon Taber, 1816-18; John Tayler, 1777-81, 1786-87; Jacobus Teller, 1778-79; Dirck Ten Broeck, 1796-1802; John Ten Broeck, 1792-93; Samuel Ten Broeck, 1781-83; Andrew Ten Eyck, 1826; Henry Ten Eyck, 1792; Jacob Ten Eyck, 1800-3; J. De Peyster Ten Eyck, 1788; Israel Thompson, 1781-82, 1784-85; Joel Thompson, 1798; John Thompson, 1788-89; Valentine Treadwell, 1847; Jesse Tyler, 1812, 1814-15; Ab. J. Van Alstyne, 1786; Cornelius Van Dyck, 1788-89; Dirck Van Ingen, 1788; Peter Van Ness, 1782-84; Hezekiah Van Orden, 1788; Andrews Van Patten, 1795; H. K. Van Rensselaer, 1788-90; J. Van Rensselaer, 1788-89;

J. Van Rensselaer, Jr., 1780-81; Killian Van Rensselaer, 1777-79; Robert Van Rensselaer, 1777-81; Stephen Van Rensselaer, 1789-90, 1808-10, 1818; Aaron Van Schaick, 1843; J. Van Schoonhoven, 1791; Corn. A. Van Slyck, 1791-93; Abraham Van Vechten, 1800, 1808-13; Corn. Van Vechten, 1789-90; John G. Van Zandt, 1812; Jacob Veeder, 1807-8; Simeon Veeder, 1844; Abraham Verplanck, 1837; David I. D. Verplank, 1828; Mathew Visscher, 1784-85, 1787; Isaac Vrooman, 1779-82; Peter Vrooman, 1777-79, 1786-87; Corn. H. Waldron, 1819; Tobias T. E. Waldron, 1835; Robert D. Watson, 1846-47; Rufus Watson, 1816-17, 1839; Wheeler Watson, 1831; Edmund Wells, 1781-82; John H. Wendell, 1796-98; Peter West, 1798, 1800-2; Henry G. Wheaton, 1835-41; Malachi Whipple, 1826; Phineas Whiteside, 1779-80; William B. Whiting, 1777-80; Stephen Willes, 1820-21, 1825; Erastus Williams, 1830; Prentice Williams, Jr., 1834; Jacob Winne, 1800-1; John D. Winne, 1814-15; John L. Winne, 1814; Peter W. Winne, 1831; Jesse Wood, 1824; Christopher Yates, 1782-85; J. Van Ness Yates, 1819; Peter W. Yates, 1784-85; John Younglove, 1782-85, 1788-90.

Charles H. Adams, 1858; William Aley, 1866; Cornelius W. Armstrong, 1858; Daniel L. Babcock, 1872; Robert Babcock, 1851; Dwight Batcheller, 1858; A. Bleecker Banks, 1862; Hiram Barber, 1849; Lewis Benedict, Jr., 1861; Robert C. Blackall, 1871; Martin J. Blessing, 1855; James Brady, 1856; Waters W. Braman, 1874-75, 1877, 1879; Henry A. Brigham, 1848; Israhiah Chesebro, 1854; John C. Chism, 1868; Clark B. Cochran, 1866; Thomas D. Coleman, 1876; Lorenzo D. Collins, 1859-60; Hugh Conger, 1867, 1869; Almerin J. Cornell, 1862; Edward Coyle, 1871; James F. Crawford, 1866; Henry Creble, 1859; John Cutler, 1852; Edward Curran, 1877-78; Alexander Davidson, 1855; Archibald A. Dunlop, 1854; John Evers, 1857; Morgan L. Filkins, 1859, 1864; Wm. W. Forsyth, 1853; John N. Foster, 1878; Jay Gibbons, 1861; Samuel W. Gibbs, 1860; Hiram Griggs, 1878-80; Robert Harper, 1852; Hamilton Harris, 1851; Jonathan R. Herrick, 1877; Stephen M. Hollenbeck, 1854; Orville M. Hungerford, 1865; Henry Jenkins, 1856; Thomas Kearney, 1853; William J. Maher, 1876-77; William D. Murphy, 1870-71; Michael A. Nolan, 1865; Joel B. Nott, 1850; William L. Oswald, 1863-64; Harris Parr, 1864; Eli Perry, 1851; Henry R. Pierson, 1873; Oscar F. Potter, 1867; Robert H. Pruyn, 1848-50, 1854; Terence J. Quinn, 1874; John Reid, 1853; Alexander Robert-

son, 1865, 1867; Edward D. Ronan, 1870; John Sager, 1877; George M. Sayles, 1852; Fred. Schifferdecker, 1874; Peter Schoonmaker, 1874; Willett Searls, 1862; William S. Shepard, 1850; Adam I. Shultes, 1851; John I. Slingerland, 1860; Peter Slingerland, 1875-76; Adam W. Smith, 1869; Henry Smith, 1867, 1872; William J. Snyder, 1863; Stephen Springsteed, 1872; James T. Story, 1878; Jackson A. Summer, 1868; William D. Sunderlin, 1871; Hugh Swift, 1852; John Tighe, 1869-70; Franklin Townsend, 1857; Lyman Tremain, 1866; Adam Van Allen, 1857; David Van Auken, 1849; Cornelius Vanderzée, 1850; Harmon H. Vanderzee, 1865; John Vanderzee, 1862; James B. Van Etten, 1855; J. W. Van Valkenburgh, 1873; T. Van Vechten, Jr., 1852; Theo. Van Volkenburgh, 1868; Francis W. Vosburgh, 1875; Henry L. Wait, 1863; William J. Wheeler, 1861; Isaac Whitbeck, 1856; Edward S. Willett, 1848; Joel A. Wing, 1849; George Wolford, 1858; Francis H. Woods, 1868; William A. Young, 1859; Alfred LeRoy, 1876; Leopold C. G. Kshinka, 1874-5; George B. Mosher, 1872-73; Charles Knowles, 1879; Thomas H. Greer, 1879; William H. Slingerland, Ignatius Wiley, Joseph Haynes, Thomas Liddle, 1880; Miner Gallup, Andrew S. Draper, Aaron B. Pratt, George Campbell, 1881; Michael J. Gorman, Aaron Fuller, Amasa J. Parker, John McDonough, 1882; Daniel P. Winne, Warren S. Kelley, Edward A. Maher, Joseph Delahanty, 1883; John Zimmerman, Hiram Becker, Edward A. Maher, James Forsyth, Jr., 1884; Lansing Hotaling, 1885.

#### ALBANY COUNTY COUNTY TREASURER.

This ancient officer was known before the revolution. He is the custodian of the funds of the county, and also disburses them. He is required to give heavy bonds for the faithful performance of his duties. He is required to report to the Board of Supervisors annually. They audit his accounts. His salary is fixed at the annual sum of \$5,000. Among his duties is to direct the sale of property for unpaid taxes—in fact he has large duties connected with the taxes of the county. Under the direction of the Board of Supervisors he often borrows money in the credit of the county, cancels taxes, etc. On the whole, it is one of the most important offices in the county. The Treasurer was formerly appointed by the Board of Supervisors; but by the statute provisions of 1846, he is now elected for a term of 3 years by the people, in November. The

following is a list of the County Treasurers under the Constitution of 1846: James Kidd, 1848; Cornelius Ten Broeck, 1851; Richard J. Grant, 1854; Adam Van Allen, 1857; Thomas Kearney,

1860; Stephen V. Frederick, 1866; Alexander Kennedy, 1869; Nathan D. Wendell, 1872; Henry Kelly, 1878; Albert Gallup, 1881; John Battersby, 1884.

## JOURNALISTS AND JOURNALISM IN ALBANY COUNTY.

ALBANY has always been conspicuous for the ability of its editors, publishers and printers. Its history is embellished with the career of illustrious journalists. Here the press has wielded an influence that may truly be called national.

The history of the Albany press began in November, 1771, when Alexander and James Robertson issued the first number of the *Albany Gazette*, a journal which had its birth and death within the space of one year. But it was the pioneer undertaking.

Down to 1811 there were but thirty-four newspapers in the State. "The paper," says Mr. Weed, "on which they were printed resembled ordinary wrapping-paper in texture and hue, and the type, in most cases, was worn well down toward the first nick. The *New York Columbian* was printed on a sheet as blue as indigo, while the *Hudson Bee* rejoiced in colors as yellow as Mrs. Skewton's bed-curtains." Considering the material and conveniences of that day, printing was done with wonderful rapidity. In Albany, as early as 1816, Governor Tompkins' last message was printed and republished in Canandaigua within five days. Canandaigua, at that time, was as far from Albany, in length of time, as San Francisco is now.

ALEXANDER & JAMES ROBERTSON, the pioneer printers of Albany, having established the *Gazette* in 1771, Albany was the second city in the State in which a regular newspaper was published. It was printed on a small sheet, about one-fourth the size of the *Evening Journal*.

At the time it was started, and during its existence, New York was a province of Great Britain, though the growing spirit of liberty was fast producing the crisis which resulted in the revolution and American freedom. It was, doubtless, the turbulent state of the times that caused the Robertsons to suspend the *Gazette*. They were loyal to Great Britain, and left, it is said, for Nova Scotia. The editors of the *Gazette*, January 13, 1772, make the following quaint apology:

"The printers of the *Gazette*, from motives of gratitude and duty, are obliged to apologize to the public for the omission of one week's publication; and hope the irregularity of the mail from New York since the first great fall of snow, and the severe cold preceding Christmas, which froze the paper prepared for the press so as to put a stop to its operation, will sufficiently account for it."

The liberal manner in which merchants advertised at that day, is indicated by the advertisement of Thomas Barry, a leading merchant of Albany, whose store stood near the Dutch Church, at the foot of State street. His advertisement occupies a column of the *Gazette*, giving a description of his goods quite as eloquently written as that of the popular merchants of to-day. Among the articles advertised, we find the following: "None-so-pretty of various colors, and black breeches patterns." Another firm, James Gourlay & Co., largely advertise, stating particularly that their "store is to be found in Cheapside street, next door to the King's Arms."

JESSE BUEL.—Among the most prominent names among the great journalists of Albany, is that of Jesse Buel.

He was born in Coventry, Conn., January 4, 1778, the youngest of a family of fourteen children. His father, Elias Buel, was an officer in the army of the revolutionary war. At the age of fourteen, he entered the printing-office of a Mr. Lyon, at Rutland, as apprentice. The first four years of his term were spent in unremitted attention to his calling. Having purchased of Mr. Lyon the unexpired three years of his time, he began the life of a journeyman printer. After a brief stay in the City of New York, he worked a short time with Mr. McDonald of Albany; also at Waterford and Lansingburgh. In connection with Mr. Moffat, of Troy, he began in June, 1797, the publication of the *Troy Budget*. In September, 1804, he left the *Budget*. About that time he married Miss Susan Pierce, of Troy.

In October, 1801, he was in Poughkeepsie, publishing a weekly paper called the *Guardian*. This was discontinued after about one year. He began

the publication of the *Political Banner*, which was also short-lived.

At the close of 1802, he established a paper in Kingston, called the *Plebian*, which he conducted with marked success until the close of the year 1813. Six years after he came to Kingston, he was appointed Judge of the Court of Common Pleas of Ulster County.

While at Kingston, he gained the lasting friendship of that illustrious jurist, Ambrose Spencer. Through Judge Spencer's influence, he removed to the City of Albany and commenced the *Albany Argus*. The next year he was appointed State printer. He occupied the editorial chair of the *Argus* with distinguished ability till 1820, when he decided to abandon the duties of journalist and printer.

Judge Buel, during all his career as a journalist, insisted upon spending a portion of his time in setting type and working at the press.

Disposing of the *Argus*, which he had founded, he purchased a farm near the City of Albany, and assumed the life of a farmer. While residing on his farm, he was a member of the State Assembly during the session of 1823.

His attention to agriculture met with such success, that he became one of the most distinguished agriculturists in the State. In March, 1834, the *Cultivator* was commenced, under the auspices of the State Agricultural Society, and Judge Buel became its editor. From a small monthly sheet, issued at the price of twenty-five cents per year, it rapidly increased in size and in subscriptions until, in March, 1838, its subscription list amounted to 23,000. On commencing the fifth volume, it was increased in size, and took its place among leading agricultural journals.

In 1821, he was elected a member of the Massachusetts Agricultural Society; in 1829, of the Horticultural Society of that State; in 1830, of the Monroe Horticultural Society of Rochester; in 1831, of the Charleston Horticultural Society in South Carolina; in 1832, of the Hampshire, Franklin and Hampden Society in Massachusetts, and of the Hamilton County Agricultural Society at Cincinnati; in 1833, of the Tennessee Agricultural and Horticultural Societies; in 1834, of the Horticultural Society of the District of Columbia; in 1838, of the Philadelphia Society of Agriculture; and in 1839, of the Albemarle Agricultural Society. In 1838, he was chosen President of the Horticultural Society of the Valley of the Hudson, and was several times chosen President of the State Agricultural Society. Thus is seen the regard in which he was held. Judge Buel's efforts were by no means confined to agricultural pursuits. The motto of his *Cultivator* was "To improve the soil and the mind."

His system of education, like his system of agriculture, was practical. He would guide the effort of muscle by the direction of the mind. While cultivating the land he would enjoy the landscape. The efforts of Judge Buel greatly tended to make honorable, as well as profitable, the pursuits of agriculture. He delivered addresses before agri-

cultural and horticultural societies in various parts of the Union, and always drew large audiences to listen to him.

On September 22, 1839, while at Danbury, Conn., he had a severe attack of bilious colic, followed by bilious fever, which terminated fatally October 4th. His death produced a profound sensation and general sorrow.

Judge Buel was a practical illustration of republican simplicity—always plain in dress and appearance, and unassuming in his manners. He was hospitable without display, pious without pretension, and learned without pedantry. As a writer his style was well adapted to the nature of his communications. With him words meant things, and not simply their shadows. He came to the common mind like an old familiar acquaintance, though he always brought new ideas.

His writings are principally found in the many addresses he delivered; in the six volumes of his *Cultivator*; in the small volume made up from materials taken from the *Cultivator*, published by the Harpers; and in the "Farmer's Companion," the last and most elaborate of his works. It was written expressly for the Massachusetts Board of Education, and was one of the most popular works of the kind.

MOSES I. CANTINE was born at Catskill, New York, December 14, 1774. He received a preparatory classical education and entered the office of Chancellor John Lansing, at Albany, under whose instruction he qualified himself for admission to the Bar. He was made an attorney-at-law at Albany, in October, 1798. Opening an office at Catskill, he was not long in attaining a highly respectable position in his profession. March 5, 1801, he was appointed by Gov. George Clinton, Assistant Attorney-General for the Third District of the State, and was reappointed February 8, 1808, and February 15, 1811. On June 19, 1818, he was appointed first Judge of the Greene County Court of Common Pleas.

Judge Cantine, at an early period of his life exhibited the qualities of an easy, ready and attractive writer. His contributions to the *Catskill Recorder* and *Albany Argus* attracted much admiration.

In December, 1820, he retired from the Bench, and, with I. Q. Leake, purchased the *Albany Argus* and became editor-in-chief. The next year the *Argus* was made the State paper, and rapidly increased in influence. Judge Cantine and Mr. Leake continued to conduct the paper until January, 1823, when a change took place in its management by the sudden and greatly lamented death of Mr. Cantine. Thus the editorial duties of the *Argus* were committed to Mr. Leake, a man of learning and talents, distinguished for his literary and scientific attainments and abilities as a journalist; but, feeble in health, he was soon compelled to relinquish the trust.

WILLIAM CASSIDY.—The history of journalism is best found in the lives of those who have been journalists.

Prominent among those who aided in making the journalistic history of Albany, is William Cassidy. With Webster, Barber, Southwick, Croswell, Weed, Dawson, Manning, and others, he aided in making that history foremost in the annals of the nation. He was born in Albany, August 12, 1815.

The grandfather of William emigrated from Ireland and settled in Albany in 1790. His father was John Cassidy, who with his uncle, Patrick Cassidy, were esteemed citizens.

At an early age, Cassidy began his classical education at the Albany Academy, and at the age of sixteen was admitted to Union College in the Senior class, graduating in 1833, after remaining in the college one year. He studied law in the offices of Judge McKown and John Van Buren. His articles on political subjects, written at his leisure and published in Democratic journals, found favor with the public. The taste thus cultivated and encouraged, induced him to leave his legal studies and adopt the profession of journalism. At a time of life when other young men are scarcely through with their collegiate education, Mr. Cassidy's brilliant gifts as a writer were winning wide recognition, and he was acknowledged by the leaders of the Democratic party as one of their ablest and most effective political writers. At the age of twenty-five he first entered the field of journalism as a regular, writing for the *Plaineader and Rough Hewer*, then published in Albany.

From 1841 to 1843 he was State Librarian. In the spring of 1843 he became connected with the *Albany Atlas*, a daily paper started in 1841 by Vance & Wendell, and, with Henry H. Van Dyke, edited that journal. The *Atlas* was founded as the organ of the "Barn-burner" section of the Democratic party, and recognized as such during its existence.

The contest between the "Barn-burner" and "Hunker" factions of the Democratic party will long be remembered as more bitter than that which the former party waged against the Whigs. The *Atlas* entered the political arena as the opponent of a majority of the Democratic party led by the *Argus*, a veteran in the politics of the State. At this time Edwin Croswell, wielding a bold, gigantic pen, was the editor of the *Albany Argus*. The sharp and bitter antagonism between that journal and the *Atlas* was what might have been expected.

Cassidy, as the friend of Silas Wright and the "Free-soilers" and "Barn-burners," vigorously maintained his position against his formidable opponent. The contest continued with unabated ardor until 1856, when the advent of the Republican party, and the great power it developed, with other causes, led the factions in the Democratic party to unite and the *Atlas* and *Argus* became consolidated. This event was a triumph for Mr. Cassidy. He had exhibited such brilliant talents and such lofty character, such admirable management in editing the *Atlas*, that he was selected, with Mr. Croswell's approval, as the editor of the new paper, which received the new name of the *Atlas and Argus*. Under his editorship the *Atlas and Argus*, rapidly attained a high and commanding

position in the State. In a short time Cassidy became its principal proprietor.

In 1865, the *Argus* Company, a joint stock association, was formed, and Cassidy became its president. He continued to edit the paper for the remainder of his life. In 1866 he made the tour of Europe, enriching the literature of his native county by many charming and elegantly written letters, which first appeared in the *Argus*, and were copied into various journals. Mr. Cassidy always persistently refused official position, though in 1867 he was elected a member of the Constitutional Convention, and in 1872 was appointed by Governor Hoffman on the State Commission to Revise the Constitution. He accepted both these positions with reluctance, and they were the only ones he ever held.

As Governor Robinson said, in addressing the Commission after Mr. Cassidy's death: "No temptation would lead him from those fundamental principles which he had imbibed from conscientious conviction, deep thought and study. The welfare of the State was his sole concern, and his advice to his associates was summed up in his remark: 'See that your constitution enunciates principles, and those, principles of elevated statesmanship.'"

As has been said, his career was that of the political editor. He helped to make and unmake men. His own life was that of the sanctum, the library and the social circle. His influence was such as is wielded by a matchless pen; his achievements those of a master of thought, the exponent of party, and the leader of political councils. He combined in a superlative degree the qualities which distinguish the wit, the scholar and the politician. These, with his fine taste and culture, made him one of the most brilliant and accomplished men of his time. He had an eminently social nature and loved the social circle. John G. Saxe, the poet, paid a pleasing and delicate compliment to Mr. Cassidy, when he dedicated a volume of his poems to him, as a tribute to his scholarship.

Mr. Cassidy's personal appearance and bearing were striking and noble. His manner was uniformly courtly and dignified in its courtliness; unstudied, yet perfect. His love for his native city was not the least of his characteristics. He believed in Albany, and never failed to enlarge upon its advantages of position and the manifest evidences of its marked progress. He lent every energy towards its improvement, and as a member of the Board of Commissioners of Washington Park, he entered into every project looking to the expansion of that beautiful spot, and urged every wise scheme for kindred purposes.

But his active and useful life terminated suddenly, with brief warning to his friends that he was soon to leave them for ever. He died at his home in Albany, January 23, 1873, after a very short illness.

On the formal announcement of his death, both branches of the Legislature adjourned, after appropriate eulogistic remarks in both bodies by

distinguished Legislators. The Delta Phi Fraternity, the Park Commissioners of Albany, the Board of Trade, the Young Men's Catholic Lyceum, the Trustees of S. Agnes' Cemetery, the Typographical Union, the Employees of the Argus Company, and the Directors of the National Commercial Bank, all passed resolutions of condolence and appreciation. Letters of regard were received by the family from prominent men of the country.

Mr. Cassidy was a life-long member of the Catholic Church, and died in that faith. In 1856 he was married to Miss Lucie Rochefort, who survives him. He left three sons.

EDWIN CROSWELL, whose name ranks high among the illustrious journalists of the past, was born at Catskill in 1797. At the age of fourteen he entered the office of the *Catskill Recorder* as an apprentice. At this time Moses I. Cantine was a distinguished lawyer and writer, with an interest in the *Recorder*. Young Croswell was favorably brought to his notice. Time passed, and Judge Cantine became a resident of Albany, and one of the editors and proprietors of the *Argus*. Young Croswell, in the meantime, had worked his way to assistant editor of the *Recorder*. When, in 1823, Judge Cantine died, Croswell attended his funeral at Albany. The death of Judge Cantine and the poor health of Mr. Leake, left the *Argus* comparatively without an editor. Mr. Croswell, as one of the editors of the *Catskill Recorder*, had exhibited marked abilities as a political writer, and rendered that paper a power in the State. As he was about returning to Catskill, after the funeral, Martin Van Buren, Benjamin F. Butler, and Judge Duer, then leaders of the Democratic party in the State, and deeply interested in the *Albany Argus*, strongly urged him to become assistant editor with Mr. Leake, and soon the name of Edwin Croswell became identified with that paper.

In 1831, Sherman Croswell became associated with Edwin in the editorial management. July 26, 1834, Sherman Croswell became a proprietor and editor, and so continued till January, 1855. Edwin Croswell, having withdrawn from the *Argus* August 18, 1854, was succeeded by Gideon J. Tucker, who was made Secretary of State in 1857. In 1855, Sherman Croswell and Mr. Tucker transferred their interest to James L. Johnson, who associated with him Calvert Comstock as editor.

It was not long after Edwin Croswell had entered on the editorial duties of the *Argus*, before he became a power in the politics of the State and nation. His vigorous mind and ready and powerful pen were devoted to the interests of the Democratic party and the discussions of the great questions which then divided the public mind. As a political writer it is not too much to say that, during the period of his active life, he had no rival as a political journalist, except Thurlow Weed. In the course of the long political warfare conducted by these eminent editors, he never allowed himself to be thrown off his guard by friend or foe. Few American journalists ever exhibited more ability in conducting controversy, or in quieting animosities

among his own friends, than Edwin Croswell. His advantages for obtaining an education were limited; but he understood and practiced the art of self-culture with success. He became familiar with the English classics. The sententious purity of Swift was to him a delight and a model. From Swift he learned how to express his ideas with vividness and force. From the pages of Junius he learned the art of binding ideas together "in close compacted masses." But it was in the printing-office, that practical school of knowledge, that he made his way to the highest rank of a political journalist.

A distinguished contemporary writer of Mr. Croswell's, speaks of him as follows: "As a party political editor he has few, if any, superiors in the United States. Always cool, collected, sagacious and cautious, he seldom, if ever, allowed himself to be guilty of any indiscretions. His style of writing is more highly polished than that of most American journalists; indeed, it is somewhat remarkable that a man educated to practical business pursuits should acquire so nice and cultivated literary taste, and a style of writing so pleasing and perspicuous."

SHERMAN CROSWELL, another eminent journalist of Albany, was born in New Haven, Conn., May 4, 1803. His father, Rev. Harry Croswell, D.D., was rector of Trinity Church in New Haven. Young Croswell was graduated at Yale College in 1822. He studied law and was admitted to the Connecticut Bar in 1826. In 1831, he came to Albany, where he was associated with his cousin, Edwin Croswell, in the editorial management of the *Albany Argus*, from which he finally retired in 1885.

Mr. Croswell became reporter for the *Argus* in the Assembly in 1833, and for twenty-five successive years, with the exception of the session of 1854, he regularly reported the proceedings for the *Argus*, closing with the session of 1857, two years after its consolidation with the *Atlas*. At the time of his retirement, probably, he had no superior as a reportorial writer in this country.

Mr. Croswell became one of the proprietors and editors of the *Argus*, July 26, 1834, and so remained until January 1, 1855.

A distinguished citizen of Albany who knew him very intimately, paid the following tribute to his memory at the time of his death: "For a man so widely known, he was, indeed, known to few. He did not make many friends, but the few he made were life-long and true. Eminently courteous in his manners to all, he was a man of reserve. His confidence was given slowly, and even reluctantly, but when given was never withdrawn without the strongest cause for withdrawal."

His poetic, imaginative mind rendered the duties of a political editor, at first, uncongenial to him. But by determination he warped his mind to the calling he selected until he loved it.

A service of nearly a quarter of a century, first as an assistant, and subsequently as chief editor of one of the most influential political papers in this country, had not been without its influence upon Mr. Croswell's character.

No one familiar only with the always vigorous and sometimes trenchant style of the *Argus* of that day, would have suspected that many of its most characteristic articles came from the pen of a writer whose temperament was essentially a poetic one, and whose feelings were much more in harmony with whatever is beautiful in nature or art than in the details of politics. He died March 16, 1859.

#### GEORGE DAWSON.

The name of George Dawson ranks high among American journalists. The influence which the daily press has attained is largely due to his pen and his vigorous mind. As has well been said: "He was a journalist of the old school, wedded to the tradition of days when party organs were the leading newspapers of the country." And yet such was the versatility of his talents, that he was at home in any field where the newspaper existed. He possessed the sound judgment, the large circumspection, which enables men to weigh the relative value of either reason or facts; he was cautious enough, and drew sufficiently from his imagination in forming his hypotheses to render his writings attractive; and he was not deficient in the happy sagacity which pierces through apparent dissimilarity and ranges things seemingly unlike under the same class. In a word, he was an excellent collector of facts and a successful, active and bold reasoner upon them. These qualities rendered him powerful in the political arena and made him among the first politicians of his times.

As a politician he was eminently distinguished for the two great virtues of inflexible steadiness to his principles, and invariable gentleness and urbanity in his manner of asserting them. Yet, if occasion required, he could be rancorous, could dip his pen in gall, or move it responsive to the keenest satire, the liveliest wit, the most polished humor. With his wit he could make any subject repulsive, or render a repulsive subject agreeable.

In his writings, whether literary or political, all his wit was argument, and each of his delightful illustrations a material step in his reasonings.

Elegant and graceful as was his style of writing, it was distinguished more for its practicability and its strong sense than its beauty and elegance. But the former often enabled him to state a strong argument or a nice distinction in a more striking and pleasing way, and actually with greater precision, than could have been attained by the severer forms of reasoning.

Mr. Dawson's pen was not confined to politics alone; he relieved the tedium, the responsibility and the aggressiveness of partisan journalism by the cultivation of a beautiful and enlivening literature.

A lover of rural life, the forests, the stream and the lake, his pen often painted scenes from these in life-like beauty; indeed, we have sometimes thought that there is nothing, even in the *Bucolics* or the *Georgics* of Virgil, or the enlivening pages of Thompson, more redolent with fragrance of the forest and the field; or which brings home more

forcibly the attractions of the stream, touches more exquisitely on pastoral life, and gives the vicissitudes of the changing year, more truthfully and graphically than the pen of Dawson.

He was born in Falkirk, Scotland, March 14, 1813. His father, after whom he was named—a book-binder by trade, and the son of a gardener, residing near Edinburgh—was for many years in the employ of the famous publishing house of the Constables, at Edinburgh. In 1810, he married Mary Chapman, and soon after removed to Falkirk, the birthplace of George.

From his parents George derived no patent of peerage, but he inherited from them those sterling qualities of Scottish character: industry, integrity and reverence for God. He was a child of the Covenanters. In 1816, the father, for the purpose of bettering his fortunes, crossed the Atlantic and found employment in the City of New York. Thither, in 1818, he brought his wife, with young George and an elder brother, James, born in 1811, and a younger sister, Ellen, born in 1815. The father remained in New York till 1818, when he removed to Toronto, then Little York, Canada, where he followed his occupation six years, after which he lived in Niagara County, and afterwards in Rochester, in both places continuing his occupation. In 1836, he removed to Royal Oak, Michigan.

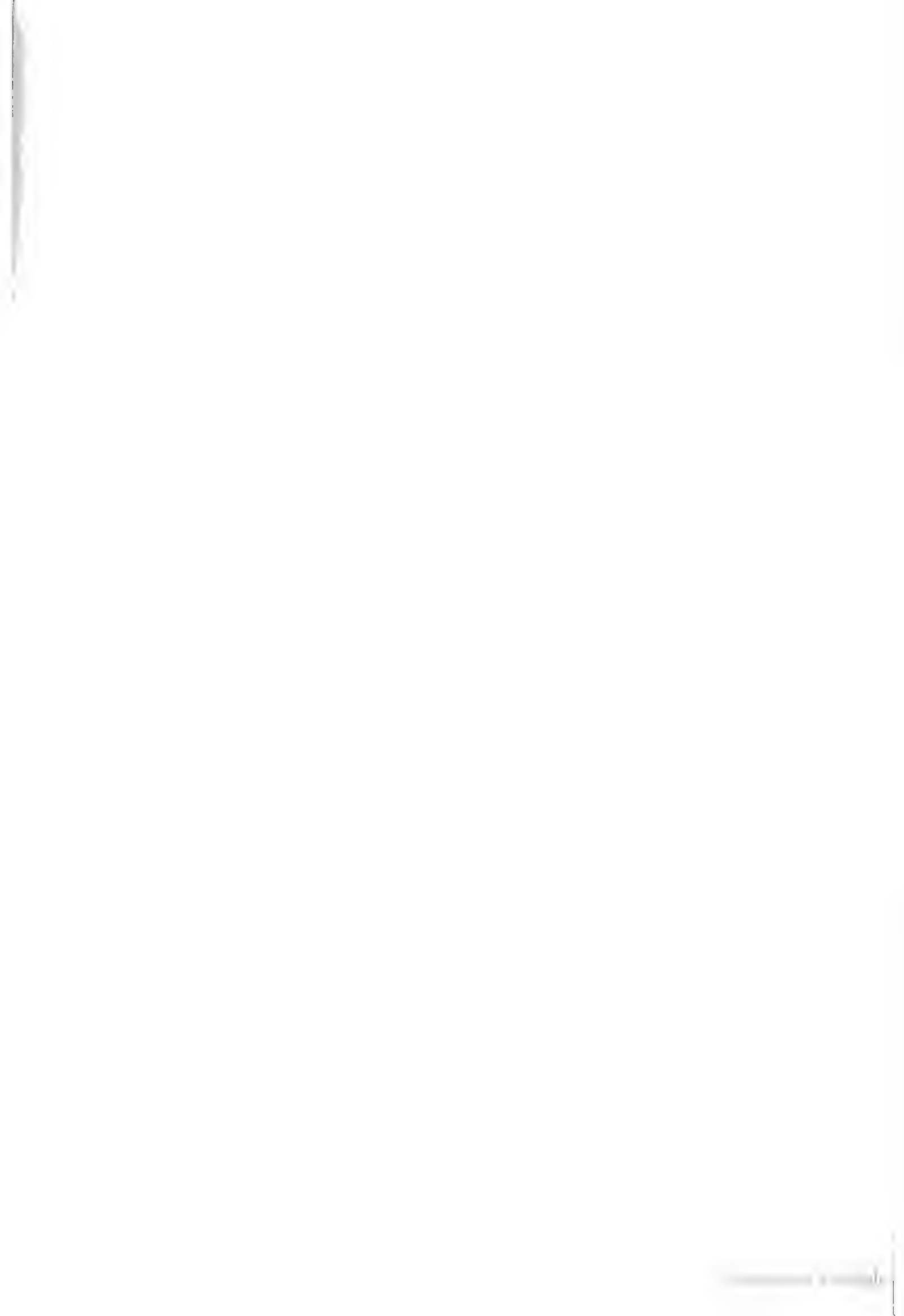
The advantages of young George for an education were meager; but his intellect was active, and he sought and attained knowledge almost intuitively. He was one of those who obtain an education without teachers—always in school and always learning.

When he was eleven years old, he was entered as an apprentice to the printing business in the office of the *Niagara Gleaner*, where he remained till 1826, when his parents removed to Rochester. At this time Thurlow Weed was the editor of the *Anti-Masonic Inquirer*. In the office of that journal young Dawson found employment, and in this way he was brought in contact with the powerful intellect and rare journalistic qualities of its distinguished editor. The relations thus begun were fortunate for both parties, and continued through life; each evolved and radiated the talent of the other.

During his apprenticeship, young Dawson's leisure hours were devoted to his books; they were his companions, the fountain of his pleasure. He might almost have adopted the language of Horne Tooke, when he said to Erskine: "If you had obtained ten years of life for me in a dungeon, with my books, pen and ink, I should have thanked you." He eagerly read the translations of Greek and Roman history and literature.

He once said to a gentleman in Rochester, now living: "You would, perhaps, be astonished at the progress one can make by devoting to study but one hour of each day. I used to average more than that each day, taking time which was employed by others in amusement. In this way I made myself a proficient in several branches, particularly in belles-lettres, history and political economy."





It is impossible to read either his political or literary productions without being convinced that they are the offspring of a cultivated and polished mind. There is a classic excellence about them, showing that, in some way, he certainly attained scholarly profundity and finely balanced powers.

Early in 1830, political anti-masonry attained a strength which enabled it to contend, apparently with success, for the supremacy of the political power of the State, and the project of starting a journal at Albany devoted to political anti-masonry was broached. It was advocated by such men as Francis Granger, Abner Hazleton, Millard Fillmore, William H. Maynard, Albert H. Tracy and others, and with their influence the proposed measure took definite form. The new paper was called the *Albany Evening Journal*, with Thurlow Weed as its editor. Accordingly he removed from Rochester to Albany, and assumed editorial duties which have given his name to history.

George Dawson accompanied him and became foreman in the office of the *Journal*, the first number of which appeared in March, 1830. It is said by those who knew him in the printing-office; that he was an accomplished, practical printer—at the case, a rapid and correct compositor; as a foreman, perfect in order and discipline; courteous and amiable in his intercourse with the employees of the office. It was not long before he began contributing to the columns of the *Journal*, and his contributions bore the impress of a master hand, adding largely to the ability and influence of the paper.

Fifty years after the first edition of the *Journal* appeared, it was said in an anniversary editorial, that the first edition of the paper "did not vary materially in appearance from the present one. The main head-line was in plain, clean-cut capitals bespeaking the well-defined and upright purpose of the projectors."

In the Legislative session of 1831, George Dawson was the reporter for the *Evening Journal*. His reports were hardly equalled for their freshness, vigor and ingenuity, and they brought him favorably before the public. He continued as reporter for the *Journal* until the spring of 1836, when he was called to the editorship of the *Rochester Daily Democrat*, and thus he entered upon his long, successful and brilliant editorial career. In looking over some of his editorials in the *Democrat*, one is struck with their incisive strength, their keen and subtle point.

As the editor of the *Democrat*, he made himself a reputation so extended, that in August, 1839, he was called to take editorial charge of the *Detroit Advertiser*. Before leaving the *Evening Journal* the Anti-Masonic party had passed away—absorbed, as some have said, in the Whig party—and George Dawson was one of the founders of the Whig party, advocating its interests with his pen and occasionally in the rostrum. It was as a Whig that he assumed the editorship of the *Detroit Advertiser*, and it was largely through his instrumentality that the State of Michigan was secured to the Whig party.

Very soon after Mr. Dawson became editor of the *Advertiser*, he was appointed State Printer, which position he held until 1842, when the office of the *Daily Advertiser* was destroyed by fire. About that time he received a flattering invitation to resume the editorial chair of the *Rochester Daily Democrat*, which he accepted. His return to Rochester was attended with many pleasing circumstances. Complimentary notices of his return appeared in all the Rochester papers, and also in very many of the leading journals in and out of the State; while the journals of Detroit and in other parts of Michigan contained sincere and pleasingly-worded regrets at the loss of "a journalist so distinguished; one whose abilities and rare social qualities had made him hosts of friends in the State of Michigan."

Early in the summer of 1846, Mr. Dawson was urgently solicited by Mr. Weed to accept the position of associate editor of the *Albany Evening Journal*. But Mr. Dawson had become attached to Rochester and Western New York by many strong affinities, many pleasing associations. In the society of Rochester he was a favorite. Besides, the beautiful lakes and bright streams of Western New York and Northern Pennsylvania afforded him facilities for enjoying the favorite pastime of an angler. He would often leave the sanctum and seek the waters of lake or stream, and,

"Under an oak, whose antique roots peeped out  
Upon the brook that brawls along the wood,"

spend many hours in quiet happiness. He, therefore, reflected long and seriously before sundering these pleasant associations. But at length, in August, 1846, yielding to repeated solicitations, he returned to Albany, and entered upon his duties as associate editor of the *Evening Journal*.

During the whole of Mr. Weed's administration, the *Journal* was omnipotent with its party. It gave the word of command and the lesser organs made haste to regard its behest. The orders which all obeyed, came from the capital. The *Journal* spoke with authority. It dictated party policies, controlled appointments, and marshaled all the forces of political campaigns. In the management of the *Evening Journal*, Mr. Dawson shared with his senior the enjoyment of the "power behind the throne;" was thoroughly acquainted with his plans, proved an able lieutenant in his political encounters, and fully indorsed his political and journalistic views. In 1862, Mr. Weed retired from the editorship of the *Journal*, and Mr. Dawson became the senior editor and proprietor. He continued to fill this position till 1877, with the exception of a short time in 1871, when the late George W. Demers occupied the editorial chair. In 1877 he sold his interest in the *Journal* to Mr. Charles E. Smith, now editor of the *Philadelphia Press*. After that time Mr. Dawson did only occasional work on the paper until February, 1880, when Mr. Smith retired from the editorship on account of his course in indorsing Governor Cornell's nomination of John F. Smyth as Superintendent of the Insurance Department, which was disapproved by the controlling partners. At the request of the proprie-

tors of the paper, Mr. Dawson temporarily resumed the editorship, and did some of the best work of his life in the remarkably bitter fight waged against Mr. Smyth's confirmation, and subsequently against "machine" dictation, unit rule and the bosses. His pen was also especially pungent and forceful in the senatorial contest which resulted in the retirement of ex-Senator Roscoe Conkling to private life.

Mr. Dawson retired finally from the editorial work on the *Journal*, September 2, 1882, and was succeeded by Mr. Harold Frederick. His valedictory, published in the *Journal*, was an ably written production, exhibiting the elastic vigor of his intellect and the strength of his memory. The pathos with which he refers to old associations, with its brief but touching reminiscences, gained it universal admiration.

In 1861, Mr. Dawson, without solicitation on his part, was appointed postmaster at Albany. He held the office six years, when he resigned, being unwilling to continue under President Johnson's administration, which he opposed. This, we believe, is the only civil office he ever held. Though abundantly able to have filled a prominent place among the distinguished politicians of his day, he had little fondness for official life, and could not consent, for the sake of personal interest or official advancement, to resort to the wearisome correspondence with local great men, and to those platitudes necessary, at the present day, to attain the rewards of party labor. Adroit and keenly sagacious as a party manager, he never turned to his own advantage topics which happened, for the moment, to attract public attention. He never fished "with ever freshly-baited hook in the turbid waters of an ephemeral popularity."

In a word, George Dawson was in no sense a demagogue. In his political career there was no shade of selfishness. Had he been willing to purchase advancement at the price often paid for it, there was never a moment from the time he first made himself felt and known, that he could not have commanded almost anything which his party could bestow. But, as we have said, he desired none of the rewards or honors of party success. Personally, he regarded office as a burden, an obstacle to the enjoyment of his tastes. It was said of Mr. Dawson that "his vigorous intellect—shrewd, far-sighted and restless—impelled by well-balanced instincts of policy and aggressiveness, furnished with all that general knowledge which the newspaper man must necessarily acquire, lacked that breadth of classic information, that catholicity of tastes and sympathies, which are demanded to-day in the average leader writer." We do not believe Mr. Dawson lacked breadth of classic information, or that catholicity of taste required by an editor of the present time. We have already seen how ardently in his youth he devoted himself to solitary study, and how he familiarized himself with the classics. The felicitous classical quotations with which his writings abound, exhibit the result of his studies. His fondness for books through his whole life was a striking characteristic;

the heart of his home was his library. Hither he retreated from the cares and labors of his business to discourse with the great spirits of other times, yielding with unfailing delight to the lofty stimulus of great minds, communing with them as with familiar friends. We believe that most of his leaders rank in ability, in argumentative and analytic power with those of any contemporary journal.

We close what we have to say in regard to Mr. Dawson as a political writer, in the language of another. "He was a man of magnificent pluck. He loved thrust, parry and retort of newspaper battle. In every encounter he was cool, confident, wary, sometimes audacious. He spied the weak point in his antagonist's defense and made his lunge instantaneous with the discovery. George Dawson's last great feat in journalism was an assault on Roscoe Conkling; indubitably the most severe, pointed, and serious attack to which Mr. Conkling has ever been exposed."

We have thus far reviewed the life and career of Mr. Dawson as a political journalist and party leader. Politics, though they make the intellect active, sagacious and inventive, within a certain sphere, generally extinguish its thirst for universal truth, paralyze sentiment and imagination, corrupt simplicity of mind, destroy confidence in human virtue, and finally ends in cold and prudent selfishness, if not in that insincerity which amounts to turpitude. Dawson, however, passed through all this with the ardor of moral feeling and the purity and enthusiasm of his youth uncontaminated. May we not say he was exalted by his trial? It now remains to consider briefly another phase of his life.

As a writer, Mr. Dawson devoted his pen considerably to literature. His powers of description, particularly those of stream, lake and forest, have already been referred to, as also his love of angling. His description of the manner in which he indulged this love, portrayed in his admirable work, entitled "The Pleasures of Angling," is intensely interesting—an excellent model of angling literature—the finished work of a mature man and graceful writer, natural and unaffected in style, and brimful of sentiments which are shared by all genuine followers of the craft.

He loved angling for its refining influences and for its associations; he indulged in it as a medicine, as a better preventive than cure; he loved it with unselfish devotion and courtesy. "I have," he says, in one of his essays on angling, "often to assure my critical and incredulous friends that it is by no means all of fishing to fish. The appreciative angler, who has inherited or acquired the true spirit of the art, is not alone happy while plying his vocation, but happy also in the recollection of what has been and the anticipation of what is to be. To him, memory and hope are equally satisfying, the one luminous with the sunshine of the recent past, and the other all aglow with the assured cheer of the near future. Nor is the pleasure derived from a review of the last outing, wholly or chiefly associated with its material results. 'Cast-

ing 'and 'striking' and 'killing' belong to the mere mechanism of the art. Its real fascination lies in what one sees and feels in mountain and valley; in river and lake; in sunshine and shadow; in the exhilarating atmosphere and delectable odors of the virgin forests; in the music of singing birds and in the soothing monotone of running waters; in the quiet and repose best found in the solitary places where anglers most do congregate. It strikes me like the sound of a trumpet to remember my fights with three-pound trout, five-pound bass, or thirty-pound salmon, but I find intenser ecstasy when I recall the circumstances and surroundings of these material experiences. The transparent brook, whose ripples were rendered as dazzling as molten silver by sunshine glints which fell upon them through the ever-waving branches of the pine, or birch, or hemlock which over-arched it like a benediction; the pellucid waters of river or lake, whose unruffled surface trembled as the fly and leader touched its bosom; the deep pool, cast into deeper shadow by the giant boulders, near which the lordly salmon rests on his upward journey; and a thousand other things of beauty which fill the eye and ravish the senses while watching and waiting and casting for a 'rise.'

"These are the pictures most distinctly photographed upon the memory of the appreciative angler, and which come up most vividly before him when he looks back on what has been."

What a vivid picture this! Can the pencil's mimic skill, in the hand of the most accomplished artist, throw more exquisite coloring, more natural light and shade blended in a more entrancing scene? Has not the mind that can thus describe nature penetrated those secret recesses of the soul where poetry is born and nourished?

We do not know that Mr. Dawson ever wrote poetry, but he had an imagination which might have made him a poet had he indulged it. He believed that the poetic fictions of great intellects are often the vehicles of the sublimest verities; that even when the letter is false the spirit is the profoundest wisdom; and he enlivened his writings with extracts from poets bearing the seal of genius, inspiration, learning and taste.

In 1876, he published his book already alluded to.

This work was first published in sketches in the *Evening Journal*, at long intervals, during the three years antedating its appearance. They were eagerly read, and added largely to the circulation of the paper. When the work appeared it was immensely popular, not only with the lovers of angling, but by all lovers of true literary merit, and still continues to be a favorite work with the reading public.

Said one of his friends, a delightful writer and critic: "Mr. Dawson wielded a trenchant pen; when he turned from the conflict of parties to the praise of his favorite pastime 'of simple wise men;' his essays, limpid as the crystal stream, are aglow with the soft summer sunlight, and melodious with the song of birds. When angling was the theme, he wrote from a full heart and closest sympathy. The effect of his writings is, therefore, magical, like

that of the mimic players in Xenophon's *Memorabilia*. He who reads, if he be an angler, must go a fishing; and if he be not, straightway then he must become one."

This is the feeling which the reading of his "Pleasures of Angling" inspires. It is descriptive of his fishing adventures in the waters of the Caspasia, the St. Lawrence, in Canadian streams, and in the home of the finny tribes of our own State and Pennsylvania. He introduces the reader to his delightful friends and associates in these excursions, and, finally, ere he is aware, the reader himself is one of the party engaged in the exciting and pleasurable scenes.

The characteristics of Mr. Dawson which secured respect and affection are not difficult to depict; for, with the qualities which made him eminent, there were blended simplicity and artlessness open to every eye. He possessed excellences which, at first, seemed to repel each other, as his political aggressiveness, though in truth they were of one genial family. In the political contest he was aggressive, triumphant over fear, gathering strength and animation as the conflict deepened, bound closer to duty as its hardships and the difficulties that surrounded it increased; yet, at the same time, he was a child in simplicity, innocence and benignity.

He was singularly alive to the domestic affections. In the bosom of his family he exhibited the deep sympathies and affections of his nature. His home was pervaded by his love as by the sunlight, and very much of his life was centered there. But the peculiar charm, over all, lay in the junction of intellectual power with religious and moral worth; his honor was superior to every temptation by which the world could assail him.

No one who ever met Mr. Dawson in the social circle can easily forget the attraction of his manner and conversation, for he possessed the power of communicating with ease and interest the riches of his mind. He carried into society a cheerfulness and sunshine of soul which, without effort, won the hearts of those in his presence to a singular degree.

Mr. Dawson was one who may well be called a Christian gentleman. As early as 1831, in the early dawn of his manhood, he united with the Baptist Church at Rochester, and his connection with that denomination continued to the day of his death.

On coming to reside permanently at Albany, he attended the North Pearl Street Baptist Church, which then stood on the site of Perry Building. The North Pearl Street Mission had been established at this time, under the auspices of this church, on North Pearl street, above Wilson, and nearly in the rear of Mr. Dawson's residence on Ten Broeck street. He devoted himself to the care of this mission, became its superintendent, and through his efforts it was finally incorporated under the name of the Tabernacle Baptist Church, with the Rev. J. D. Fulton, pastor, on October 29, 1859. After that time Mr. Dawson's efforts to build up and add to the new church were unswerving. The new church thrived and increased in membership to such an extent that a more pretentious edifice

became necessary. A fine site on the corner of Clinton avenue and Ten Broeck street was purchased. It cost \$20,000; and with \$54,000 additional the building was constructed. On February 14, 1877, it was formally dedicated and occupied.

During the work of building, Mr. Dawson spent much of his time in superintending it. How much of his means were contributed will doubtless never be known, as he was as unostentatious as he was liberal in his benefactions. It is known, however, that his contributions were very large.

His zeal in the cause of the Church did not end with the completion of the Tabernacle Baptist Church. There was established, in North Albany, a Mission School, under the auspices of the Tabernacle Church. To the promotion of this enterprise, Mr. Dawson bent his efforts. Every Sunday he was found attending to his duty there, discussing doctrine to the youthful and old alike, and educating them in the knowledge of religion. As a lay preacher he was without a peer. His vigorous and timely discourses will long be remembered by the attendants of this mission.

The various pastors of the Tabernacle Church always found in him a zealous supporter; and the congregation and Sunday-school a disinterested friend.

In June, 1834, Mr. Dawson was united by marriage to Miss Nancy M. Terrell, a native of Tolland, Conn. His married life was fortunate and happy; his home, as before said, the center of happiness, of refinement and comfort. Three sons were born to the marriage: the first died in infancy; the second, George S. Dawson, imbued with a patriotic spirit, entered the service of his country in the darkest days of the rebellion, and gave his life to the cause for which he left his home and all its attractions. For him, in recognition of his valor and patriotism, the well-known George S. Dawson Post of the G. A. R., of Albany, was named. The other son, Burritt S., with Mrs. Dawson, still survives.

After retiring from active life, Mr. Dawson gave more of his time to his favorite pastime of angling, to occasional contributions to the press, to works of charity and benevolence, and to the society of his cherished friends. And thus the afternoon sun of what we may truly call his beautiful life, gradually descended toward the night. But that night drew on much sooner than his robust and apparently healthy condition indicated, closing after an illness of less than a week. He died February 17, 1883, at the age of seventy years.

The death of such a man, as might be expected, produced a profound sensation. Seldom has the death of any one in this State called forth more general expressions of sorrow from the press than the death of Mr. Dawson. The popular favor which he enjoyed in such unmeasured profusion, was indicated in many ways. Every degree of talent, of eloquence, of learning, and of distinction laid upon his fresh made tomb, green and fragrant garlands.

The editorial fraternity of the city met, and a committee of one from each newspaper represent-

ed, was appointed to prepare an expression of the collected sense of the profession on the career and character of Mr. Dawson. This committee was composed of St. Clair McKelway, *Argus*; T. C. Callicot, *Times*; J. C. Cuyler, *Express*; Harold Frederick, *Journal*; H. M. Rooker, *Press and Knickerbocker*; R. M. Griffin, *Post*; Edward Miggall, *Free Blatter*; Wm. Kisselburgh, *Troy Times*; John A. Place, *Oswego Times*; Wm. H. McElroy, *New York Tribune*. At 12.30 on the day of the funeral, the representatives of the Albany press, and those from other parts of the State, met at the City Hall, and from there moved in a body to the Tabernacle Baptist Church, where the funeral took place. During the services many of the prominent places of business were closed and flags were at half-mast.

Among the many tributes of respect paid to the memory of Mr. Dawson, was one—the act of private friendship—so touchingly appropriate and beautiful, that we cannot refrain from describing it; and with this we close our notice.

In the southwest corner of the Tabernacle Baptist Church, Albany, there was erected on January 3, 1885, a handsomely proportioned, highly-polished granite tablet, bearing the following inscription:

GEORGE DAWSON.

Born March 14, 1813.

Died February 17, 1883.

His renown as a Journalist, Author and Party Leader;

His eminence as a citizen and statesman;

His life of probity and spiritual elevation,  
Commanded the admiration of all who value  
goodness and greatness.

His labor and munificence in its establishment  
and maintenance endeared him to this church,  
in which he illustrated the nobility of an  
exalted Christian manhood.

Private affection placed this tablet to commemorate  
his virtues and worth.

This chaste, enduring and eloquent memorial of Mr. Dawson was erected by Hon. Hamilton Harris, a long cherished friend.

HUGH J. HASTINGS was born in the North of Ireland, August 20, 1820, and came to this country when eight years of age, accompanied by his mother, brothers and sisters, his father having preceded them. The family settled in Albany. There were eight children, Hugh being next to the eldest. He began work at an early age, and helped support his parents and the younger children. His first labors were as an errand boy in a dry goods store in William street, New York. This kind of work, however, was unsatisfactory to the ambitious boy, who longed for a chance to better his condition. He was a great reader, and managed, by utilizing his spare time, to acquire much general information.

His tastes led to writing for the newspapers, and, being encouraged by the success of his first attempts, he resolved to make newspaper writing his business. He was first a reporter on the *Albany Evening Journal*. In 1840 he assumed the publication of a Whig campaign paper called the *Union*. At the close of the canvass he became a reporter



on the *Albany Atlas*, and made quite a hit by the crisp, lively manner in which he wrote up local items. But the measure of his ambition was not to be filled in this way. He longed to have a newspaper of his own, and he resolved to have one. With a capital of only \$7.50, he founded the *Albany Knickerbocker* in 1843, a daily paper, which grew to be very valuable property and an able and influential journal.

Mr. Hastings also took an active part in politics. His natural talents lay in that direction, and he entered into the field of political discussion with a vigor that was the result of a lively inborn interest in the subject. He was for "Tippecanoe and Tyler too," before he was able to vote. He admired Clay, and was a great friend of General Taylor, who, when he became President, made Mr. Hastings Collector of the Port of Albany. He resigned this position when President Fillmore assumed office.

In 1867, he determined to embark in metropolitan journalism, and purchased a controlling interest in the *New York Commercial Advertiser*, of which he was editor and proprietor at the time of his death. Mr. Hastings was passionately fond of his newspaper work, but was preparing to leave the active conduct of the paper to his nephew, John Hastings, and the publication entirely to his son-in-law, Mr. Ward. In 1843, he married Miss Mary Keeler, daughter of Mr. Henry Keeler, of Albany. The fruits of this marriage were four children, three daughters and one son. One daughter was married to Dr. Henry, and another to Mr. Ward, the business manager of the *Commercial Advertiser*. Mr. Hastings died in the City of New York, September, 1883, after a life that made a mark.

#### HON. DANIEL MANNING.

HON. DANIEL MANNING was born in Albany, August 16, 1831. He was of sturdy parentage, which, in its ancestral lines, ran into Irish, English, and Dutch sources, combining the main stocks which have settled Albany, and impressed upon its life and growth its staid qualities with its progressive movement. From earliest boyhood he felt the desire and formed the purpose of self-help. While at school, the disposition to be doing was dominant in him. It was his conviction, before he could shape it into statement, that he could unite the getting of an education with the work of supporting himself. He resisted the policy of confining himself to the routine of schooling for a set number of years before he attacked industry itself. So, as soon as he acquired the rudiments of learning, he obtained, at eleven years of age, a situation as boy-of-all-work in the office of the *Albany Atlas*, which was subsequently merged into the *Argus*, with which establishment he has ever since been connected, rising through every stage of service to the presidency of the company and the executive proprietorship. In this adherence to one vocation in one establishment, the qualities of attachment, persistence and application, for which he is rightly noted, are exemplified.

Many are the relations and responsibilities growing out of his connection with the *Argus*, but they all radiate from it; and the journal and his own personality have had a marked reciprocal influence upon one another. The three-fold form of newspaper work is apparent. It comprises printing, literary work, and business management, to each of which Mr. Manning served a long tutelage, and in each of which he mastered the art. From one to the other he graduated in due course. Over all of them he qualified himself to exercise supervision. By thorough knowledge of the details of each branch, he became able to manage them simultaneously in their affiliated bearings, however large or however minute. His life has been spent in the city of his birth. His associates have been those who were the companions of his youth. His political opinions have been in harmony with the journal which he has promoted. The position of that journal in the politics of the State, and the nation, has required him to scrutinize and weigh the large responsibilities which, in time, he has had to wield and temper in its name.

Journalism is becoming the educating force of the people who have to do with it. Most of all, is it an educating force to those who, from boyhood to mature manhood, have had to do with it in all its trinity of activity. Mr. Manning's career, passed at the center of political competition of the Empire State, has partaken of the administration of successive Governors and the course of successive Legislatures. It has brought him into relations of confidence and co-operation with many able minds. It has tested the qualities by which influence is wrought or wrecked. It has been a school of faculty and character, conceivably second to none other in American affairs. It can be advisedly said that Mr. Manning's discharge of every trust in this relation has earned him promotion to one beyond it, until he reached the summit of opportunity and power in the field in which he worked. From the time of his identification with the news and editorial work of the *Argus*, his relation was a most confidential one. He represented the paper in the Legislature, in which it has always been recognized as the monitor and exponent of one of the great contending parties. Its duty was to organize, lead, reflect, and restrain its party *clientele*, and to example the press of its party in the State always; and often in the nation. Prevision, steadiness, sagacity, and honor were demanded. The vigilance and power of great antagonists had to be challenged. The irresponsible freedom of remote journalism was impossible. In this work, Mr. Manning was the assistant of Calvert Comstock, the partner of William Cassidy; and he became the successor of both. He never affected their ornament of method; but his tempering thought, worldly wisdom, ever sedate judgment, imperturbable repose, and far-reaching sight, were helpful to their brilliant powers of statement; and his share in their successes and reputation is no small one.

No public man of either party in State service at Albany for years past, has failed to feel the governing strength of Mr. Manning's mind on the higher

and larger interests of politics. He grew to his influence by long and legitimate preparation. On the death of Mr. Cassidy, in 1873, Mr. Manning took full charge of the *Argus* and became president of the company. Since then, his political life has been one of unsought prominence and influence within the party in the State, and, latterly, throughout the Union. He was a member of the Democratic State Convention which met at Syracuse in 1874, and nominated Governor Tilden, and of every Democratic State Convention during the succeeding ten years. He has been a member of the Democratic State Committee since 1876, and was its Secretary in 1879 and 1880, and its Chairman in 1881, 1882, 1883, and 1884. In 1876, he was one of the seventy-two delegates from New York to the National Convention at St. Louis, which nominated Governor Tilden for the presidency. He was a member of the New York delegation to the National Convention at Cincinnati, which nominated General Hancock, in 1880, and was unanimously chosen its chairman. His part in the presidential contest of 1884 has passed into history. Nothing that could be said in these pages would add to its repute. Comment on his ability as an organizer, his knowledge of men and measures, and his skill in reconciling conflicting interests, would be forceless side by side with a statement of the results of their influence upon the political history of the period. Avoiding serious collision with the opponents of Mr. Cleveland at the Democratic State Convention at Saratoga, by his tact and ingenuity, Mr. Manning was instrumental in securing a two-thirds majority of the State delegation for the nomination of his candidate.

At the Chicago Convention, he was unanimously chosen Chairman of the New York Delegation. From the first he was implicitly trusted by his own delegation; and, from early in the deliberations of the Convention, by the Cleveland delegates from all parts of the Union. Exhibiting rare tact in handling questions as they arose, he met emergencies with admirable insight and promptitude, and accomplished the nomination of Mr. Cleveland in a manner which won the approval of the country at large. But with that great task achieved, the work Mr. Manning had in hand, both as Chairman of the State Committee and as Governor Cleveland's chosen friend and adviser, was only begun. There followed a campaign memorable for its conflicting elements, and marred by factional animosities and bitter personalities hitherto unknown. The herculean task was before the managers of the Democratic party of healing, or at least checking, its internal dissensions in New York. Upon Mr. Manning, in great measure, devolved this apparently impossible work. Harmony was measurably secured upon national issues, thus assuring the success of the party in the State and the casting of New York's decisive electoral vote for Cleveland and Hendricks. The same courageous and quiet dignity that marked Mr. Manning's conduct during the campaign, and with which he had met the fierce tactics of the forces arrayed against Mr. Cleveland, characterized his

work during the trying period succeeding the election, when desperate opponents were clamorously charging fraud upon the Democratic management, and claiming the election of Mr. Blaine with a persistent plausibility that for a time deceived more than half the country.

Much of the aggressive work the State Democracy has accomplished within the last twelve years has been shaped by Mr. Manning's influence upon its organization and policy. To the duties before exercised by Dean Richmond, and then by Samuel J. Tilden, in the leadership of leaders, Mr. Manning has succeeded, and has impressed on the position his own methods and qualities. These comprise a confident reliance on principle, and on the public capacity and disposition to respond to it; a making of issues broad, sharp and commanding; a policy of campaigning marked by candor, evidence and aggression; a calculation of the people as the decisive factor. His trust in the honesty and intelligent self interest of the masses is marked. His perceptions are intellectual, his tactics are ethical; his consciousness that neither political party is as good as it ought to be, leads him to strive to make the one with which he acts better. His relations with the statesmen of his party have long been intimate, and the best of them are his personal friends. Never relishing, and reluctantly accepting, political responsibilities, Mr. Manning would now retire from them altogether, and would have done so long since had he been permitted to act upon his own choice. Never consenting to hold political place, though often urged to do so, his political stewardship has been marked by principle, by high honor, courage and unselfishness. The placing of a great party in a position to deserve and to achieve success, is to him far more important than any personal credit that he may derive from it.

In the affairs of his native city, no man has attained to greater influence than Mr. Manning, yet no one has more sturdily refused to identify himself with official position. He has recognized a sole duty in administering unselfishly and unhamperedly the great public journalistic and unofficial political trusts which have been his. His business gifts have, however, not permitted him to devote them exclusively to the work of publishing. He has long been a Director for the City in the Albany and Susquehanna Railway Company. From 1869 to 1882, when he resigned, he was a Director in the National Savings Bank of Albany. In 1873 he became a Director in the National Commercial Bank of Albany; in 1881 he was chosen its Vice-President; and upon the death of Robert H. Pruyn, in 1882, he succeeded to the presidency. He became a Park Commissioner of the City in 1873, and resigned the charge in 1884; and is one of the trustees of the Fort Orange Club.

Married to Miss Mary Little, a lady of English parentage, he suffered her loss by death in 1882. Two sons and two daughters are the crown of this union. His sons are James Hilton and Frederick Clinton Manning, the former being managing editor of the *Albany Argus*. In November, 1884,

Mr. Manning married Miss Mary Margaretta Fryer, daughter of William J. Fryer, of Albany. His brother, John B. Manning, was elected Mayor of Buffalo as the successor of Grover Cleveland, now President of the United States. A life of beneficent activity, cultured by informing studies, ballasted with many responsibilities, tempered by intercourse and friendship with able and illustrious men, and inspired by a high and practical sense of honor and duty, has been that of Daniel Manning, who, still in the prime of his faculties, has, it is hoped, many years of honor and usefulness before him, in which his past would be a proof of his probity and power. And it is an excellent attestation of the possibilities and product of what is best in American character, by self-help, under American institutions.

Mr. Manning now fills the distinguished position of Secretary of the Treasury in the cabinet of President Grover Cleveland, the duties of which he is believed to be discharging with characteristic independence, industry and energy, and with due fealty to party and country as he regards his obligations to both. He entered upon the duties of this appointment March 4, 1885.

### JOEL MUNSELL.

JOEL MUNSELL was born in Northfield, Mass., April 14, 1808. His parents were Hezekiah and Cynthia (Payne) Munsell, who came from Hartford, Ct., to Northfield. Here young Munsell spent the first seventeen years of his life in boyish sports, in the schools of the town, and in working with his father at the trade of a wheelwright. At the age of 17, in 1825, he was a regular apprentice in the printing-office of the *Franklin Post and Christian Freeman*, published in the near village of Greenfield. December, 1826, found him still "at the case," but at another office in the same village. John Denio, his next employer, took him to Albany, the next May, as his clerk in a bookstore. But he was a printer, and preferred this art. After a month on the *National Observer*, published by Solomon Southwick, he was, about the 1st of January, 1828, a journeyman printer, two days in the week, on the *Masonic Record*; helping Mr. Denio in his bookstore at spare moments; and printing, editing, publishing, and distributing from door to door his own paper, the *Albany Minerva*. He issued eight numbers. Much of his time was now spent in reading, studying, and making collections of papers and binding them. His employment for a second time, for a few months, in Mr. Denio's bookstore, and in job work and journeyman work on various newspapers, as he was needed, occupied him quite busily for nearly a year and a half, ending June, 1829. From this date until his return to Albany, January 4, 1830, he was visiting friends in Northfield and seeking a journeyman's work in Hartford and New Haven. Having no steady employment at his trade, he gave his spare hours in New Haven to attending lectures and reading useful works in science and literature. In Albany again, he spent a few more years in irregular em-

ployment as a printer. But like many other printers, whose lives have become eminently useful and successful, his simple habits of economy and constant devotion to gaining valuable knowledge did not forsake him.

In 1834, he was associated with Henry D. Stone, for two or three years, in the successful publication of the *Microscope*. From his savings he purchased material in October, 1836, and set up a job printing-office for himself at 58 State street. Here his skill and industry found appreciation. In these respects he had no superior. "Joel Munsell, the Albany printer," from this time forth made himself more fully known as the master of his art, as the enterprising publisher, the faithful annotator and compiler, and the generous friend of students and writers in genealogy, local history, and antiquities. A list of books and pamphlets of this kind from his press makes a volume. We can name but few here. His volumes are seen and his imprint known wherever books are read by intelligent students of American history and genealogy. The first work compiled and published by him was called "Outlines of the History of Printing," in 1839.

Albany owes him much for work done upon its local history. His "Annals of Albany," in 10 volumes, 12mo, were begun in 1849 and finished in 1859. "Collections on the History of Albany," in 4 volumes, royal 8vo, were issued between 1865 and 1871. They embody a mass of matter relating to the earlier and later history of Albany, which, with the help of indexes, is exceedingly valuable for reference. Their preparation shows fondness for work, patient industry, great courage, and conscientious fidelity. He was much aided in some parts of the work by Professor Jonathan Pearson, of Union College, and others. He must have spent untold hours among old records, old newspapers, and old tombstones, to have amassed such an amount of unassorted material.

Another monument of his industry is found in "The Every Day Book of History and Chronology," compiled by him and published in two volumes, 12mo, in 1843.

"Webster's Annual Almanac," started by Charles R. Webster in 1784, had been prepared and issued by Mr. Munsell since 1843; and is now continued by his youngest son, Frank. Some volumes of the Albany Directory were prepared and published by Mr. Munsell. "Joel Munsell's Sons," Charles and Frank, are still carrying on his work as printer at 82 State street.

In the field of local journalism, Mr. Munsell, besides his own *Albany Minerva*, published in 1840, a daily campaign paper, edited by Hon. Daniel D. Barnard; in 1842, *The Lady's Magazine*, edited by E. G. Squier; also, *The Northern Star and Freeman's Advocate*, in 1844; *The Spectator*, edited by Rev. Dr. W. B. Sprague, in 1845; *The Guard*, an Odd Fellows' paper, edited by C. C. Burr and John Fanner; also, at various times, *The New York State Mechanic*, *The Unionist*, *The State Register*, *The Typographical Miscellany*, *The New York Teacher*, *The Morning Express*, and *The Daily Statesman*. Some of these were partly edited by him, and contribu-

tions from his pen, on matters of local importance, were frequent.

Ten volumes of valuable historical matter were issued by him, in limited editions, with excellent paper, 4to size, and faultless typography. They were called "Munsell's Historical Series," and published, as were his "Historical Collections," and many other volumes, at a pecuniary loss. He scarcely ever refused to put in print a valuable manuscript, because "it wouldn't pay." His unselfish zeal for the preservation of historic truth led him to forget the question, "Is there money in it?"

Mr. Munsell took great interest in that valuable quarterly, now in the forty-first year of its publication, called the *New England Historic-Genealogical Register*, of Boston, which he published for three years.

He was one of the original founders and constant members of the Albany Institute, and published its Transactions and Proceedings. For forty years, up to his death, he was its treasurer.

For forty-three years he was a faithful supporter of the Lutheran Church in this city, and one of its trustees for over twenty years. Many historical, genealogical, and antiquarian societies showed their appreciation of his great life work by electing him an honorary member.

He died after a brief illness, January 15, 1880. He had worn himself out. His funeral was largely attended by the members of the press, the Albany Institute, the Lutheran Church, and many citizens, who sincerely mourned the loss of a most useful man. All who knew him esteemed him highly.

He was small in stature. In expression he was usually cheerful; his features, in his later years, told of thoughtful care and hard work. In conversation he was often jocose and facetious. In manner he was quiet and unobtrusive, but always easily approached. His portrait, appropriately inserted in its early pages, illustrates this work.

One of the most distinguished characters in the history of journalism of Albany County, is SOLOMON SOUTHWICK. Not only was he conspicuous as a journalist, but his influence as a politician was, at one time, almost unbounded, approximating that of more modern political leaders.

Mr. Southwick was born in Newport, R. I., December 25, 1773. His father was early identified with the struggle for American independence. He was a printer, and editor of the *Newport Mercury*, a journal heartily committed to the cause of independence. His patriotism drew upon him the hatred of the Tories, and cost him a hard-earned fortune, compelling his son to begin life in a bitter struggle with poverty.

After engaging in several humble employments, young Southwick drifted to New York City, where he apprenticed himself in a printing establishment. The *Albany Register* was then conducted by his brother-in-law, John Barber.

After remaining in New York a little over a year, young Southwick went to Albany as an assistant in

the office of Mr. Barber. His ability and industry very soon made him Mr. Barber's partner.

On the death of Mr. Barber in 1808, Mr. Southwick succeeded to his interest in the paper. His talents, energy and ambition soon placed him at the head of the Democratic party, of which the *Register* was the organ and champion.

He continued in charge of the *Register* for many years, during which time he successively held the position of Clerk of the Assembly, Clerk of the Senate, Sheriff of the County, Manager of the State Literature Lottery, State Printer, Regent of the University, and Postmaster of Albany. After the discontinuance of the *Register*, he established and conducted an agricultural paper called the *Ploughboy*, first, under the anonymous designation of Henry Homespun, Jr., and subsequently in his own name. At about the same period, he became editor of the *Christian Visitant*, a periodical devoted to the interests of religion and morality, and to the refutation of infidel principles. Subsequently he assumed editorial charge of the *National Democrat*, during which time he presented himself to the electors of the State as a candidate for Governor, in opposition to the regularly nominated candidate of the Democratic party, Joseph C. Yates. During the prevalence of the anti-masonic excitement, he established, and for several years conducted, the *National Observer*, a prominent organ of anti-masonry, and was soon after nominated as candidate of that party for the chief magistracy, in opposition to Martin Van Buren and Smith Thompson.

Failing of success, and disgusted with the manifold vexations of political strife, he withdrew from the turbulent arena of public life, and sought in the congenial atmosphere of the domestic and social circle that happiness and peace of mind which he had failed to experience in the restless career of personal and political ambition.

The remainder of his life was devoted to study, to his family fireside, and to the dissemination of religious, moral, and intellectual truth.

From 1831 to 1837, he delivered a course of lectures on the Bible; another on Temperance; and another on Self-Education, which were much admired. He published the "Letters of a Layman" under the signature of Sherlock.

This publication was followed by "Five Letters to Young Men, by An Old Man of Sixty."

For the last two years of his life he conducted the editorial department of the *Family Newspaper*, published by his son, Alfred Southwick.

On the 18th of November, 1839, while returning with Mrs. Southwick from a social visit at the house of a friend, he was attacked by an affection of the heart, which terminated fatally. His age was sixty-six.

Few men ever experienced more vicissitudes of fortune than Mr. Southwick. He was a self-made man, owing all his knowledge and mental culture, his success and distinction in life, to his own exertions. He loved to encourage the laboring classes, the young, the obscure and friendless; to teach them the knowledge of their power and to aid the advancement of their personal and pecuni-



ary interests. His address at the opening of the Apprentices' Library in Albany was an earnest, impassioned and eloquent appeal in behalf of the young mechanic.

A few months previous to his death, he projected the establishment of a literary and scientific institute in this city, to be placed under his personal control and supervision, for the purpose of affording the requisite facilities to young men desirous of pursuing a course of self-education.

In person, Mr. Southwick was somewhat under the medium size, with a countenance full of benignity, and expressive of an enthusiastic, ardent and sanguine temperament. An insidious disease, the result of sedentary and studious habits, had undermined his health and deprived the evening of his life of that full enjoyment which he might otherwise have enjoyed.

#### LUTHER TUCKER.

LUTHER TUCKER was born in Brandon, Vermont, May 7, 1802. The death of his mother, which followed almost immediately, broke up the family—his father and the older children shortly afterward joining the tide of migration to which Vermont has always furnished so large an army of recruits, while the subject of this notice was adopted in the house where he had been cared for in the hours of motherless infancy. At the age of fourteen he was apprenticed to Timothy C. Strong, a printer, of Middlebury, encountering, in connection with the instruction he received, the rough fare and hard work that were natural enough at the time, but very different from the customs of the present. Mr. Strong removed to Palmyra, N. Y., in 1817, taking the young apprentice with him; but the connection between them ended two years later, before the expiration of the term of apprenticeship. Mr. Tucker thus entered upon the prosecution of his craft as a journeyman somewhat prematurely, making his way, with intervals of work at various intermediate points, toward his old friends in Vermont, for whom and for his native hills, then, as through all subsequent changes, he entertained the warmest affection. A tour of work, on which he soon set out, carried him, in the course of the five succeeding years, to various points in the north and east, and to Philadelphia, Baltimore, Washington, and New York. In the spring of 1825, he entered into partnership, at Jamaica, Long Island, with Mr. Henry C. Sleight, whose business was chiefly the publication of standard works for New York houses. Some volumes, now in possession of his sons, bearing the imprint of Sleight & Tucker, chiefly English reprints of a moral or theological kind, are strikingly characteristic of the condition of American publishing at the time; but, in freedom from typographical errors and excellence of press-work, they suffer nothing in comparison with the larger and more hurried editions of the present generation.

In his travels as a journeyman, Mr. Tucker had passed through Rochester in 1823, and witnessed the first crossing on the aqueduct over the Gene-

see, of the Erie Canal; and, though the place was then little more than a village, he was struck with its evident capacities for future growth and prosperity.

And when he began to look for a wider field than that afforded at Jamaica, Rochester was the point that occurred to him. Encouraged by his partner, who aided him with capital as well as with advice, at the age of twenty-four he turned his steps thitherward, and, entirely unknown among its people, began the publication of the *Rochester Daily Advertiser*—the first daily newspaper to spring into existence west of the City of Albany, in the boundless and then undeveloped territory that extends to the Pacific. Its initial number appeared October 27, 1826, and, as we learn from contemporary notices, at once attracted attention as showing the remarkable progress of the place. In referring to its establishment, the *New York Evening Post* of October 31, 1826, said: "Nothing can show, in a more striking point of view, the rapid increase of our population and internal commerce, than the fact that Rochester, which within a few years was a wilderness, is now enabled, by the number of its inhabitants and the activity of its trade, to support a daily paper."

This enterprise, in proportion to the business transactions of the day, and the simpler customs of a young and still struggling Western town, was a success. But we have been already too long in tracing the steps by which Mr. Tucker reached what became the all-absorbing work of his life, to allude even briefly to his associates, or to the part he took in the active and often heated political discussions of a peculiarly exciting period. Wherever he had traveled he had been struck with the backwardness of our agriculture; the lack of intercommunication among our farmers; the tendencies of all-prevailing practice towards the deterioration of the soil; the almost universal absence of agricultural reading. His taste was strongly for farming, and other business he regarded as simply the resource from which he hoped to buy and cultivate land of his own, without indebtedness to others, and with reasonable provision in case of bad seasons and slow returns.

From this ambition, and his very considerable opportunities of observation among farmers in widely scattered localities, arose the establishment of the *Genesee Farmer*, January 1, 1831, while still publishing the *Daily Advertiser*. Mr. Tucker's aim in a paper for the practical benefit of farmers, was to provide them with a means of communication touching the details of their experience and modes of practice, and to bring their example, so to speak, within the personal knowledge of his readers, looking to what had been accomplished, or was actually going on among the most intelligent and enterprising, for guidance as to what might or should be done, rather than to scientific investigation or the theories of the closet. It may not be too much to claim that the *Genesee Farmer*, though preceded in date of issue by a few other agricultural journals here or in Great Britain, was the first to begin from this end. Its circulation rapidly increased,

and this notwithstanding the establishment of the *Cultivator* at Albany by Judge Buel, under the auspices of the State Agricultural Society, in 1834, when some falling off might have been expected from the division of the field with a rival so able and influential; and it was somewhat to Mr. Tucker's surprise, on the union of the two journals, some years later, to ascertain that the circulation of his own was much the larger of the two.

Having at last attained what was to have been his great object, the purchase of a farm near Rochester, the daily paper was sold in 1839. It still exists as one of the leading and most popular journals of Western New York, under the name of the *Rochester Union and Advertiser*. Farming and the publication of the *Farmer* were to be the sole objects of the future. But before a single season had passed, Judge Buel's death left the *Cultivator* without a head, and a proposition was made to Mr. Tucker for the combination of the two papers, that seemed in many respects so advantageous, that the farm was sold, and the number for January, 1840, was published from Albany and bore the title of the *Cultivator: a consolidation of Buel's Cultivator and the Genesee Farmer*. A *New Genesee Farmer* subsequently led a brief and flickering existence, and after the second part of the *Cultivator's* title had been dropped as too cumbersome, other *Genesee Farmers* came into fitful being—the last calling itself “the oldest paper,” because of its borrowed title—an attempt at appropriating a history as well as a name of which there have been many other specimens in our periodical literature, but about which Mr. Tucker may, perhaps, have been excusable in feeling somewhat sensitive.

In respect to the details by which Mr. Tucker was led into his life-work, we have spoken more fully, because no notice would be fitting, as it seems, without at least an outline of those preliminary steps by which, and through which, it came about that all the efforts he could put forth were thereafter devoted to the cause of agriculture. Without the genius for manipulation, which seems to be essential in the political managers of the present day, it is possible that with all his energy, judgment and industry, he might not have attained, by continuing in the political field, the leading rank among those who have the credit of making or unmaking aspirants for public positions. With the same qualities, coupled with an admirable appreciation of the real wants of the community, agricultural or educational—but without training in that administrative capacity which consists so largely in the selection and employment of deputies by whom all details can be wrought out under general guidance and supervision—for a long time he retained in his own hands and under his own eye every department, business and editorial, and never felt quite satisfied when anything that could possibly be done by himself was left to another. The untiring work he thus assumed was often far too much for the individual energies of any one, but with heart and soul fully engrossed in its accomplishment, he escaped from serious results until the confinement to labor began to tell, and he felt

more and more, with the enfeebling heat of each successive summer, that some measure of respite was absolutely essential. For a number of years prior to his death, he had been forced from constant application, by absolute inability to continue it, and a large part of his last summer he spent in freedom from care at various resorts. But as soon as he was at home, he was only contented with a certain measure of the office work; and it may be truly said of him, if the saying is anywhere strictly correct, that “he died in the harness.” In the wandering of his mind, after fever had set in, he urged that manuscripts should be sent him for scrutiny before publication, specifying some that he remembered as coming in before he left the office; and, recollecting that the State Agricultural Society was about to hold its annual meeting, he was full of anxiety lest his illness might prevent his son's attendance, and eager to be up and at his desk for work. But his work was over. He died Sunday, January 26, 1873. He had been at the office on the 14th for several hours, although not very well or strong, and on the morning of the 15th found himself too ill to leave his bed. Inflammation of the lungs followed, attended at the last by defective and irregular action of the heart, and when the fever left him his strength gradually failed, until he entered into the rest of the unending Sabbath beyond the grave. With his native predisposition for agricultural pursuits, it had been his task for many long years to weigh the merits of discussion after discussion and question after question, endeavoring to give due prominence to each in turn according to its deserts. Without prejudice or partiality, he admitted to publication what was counter to his own views, that it might stand upon its merits, and provoke thought among his readers. Clear, pointed and accurate in the use of language, what he wrote always came with weight. During his latter years, with manual difficulties of penmanship rendering any prolonged exertion irksome, he wrote but little; but the guidance of his judgment and advice was ever present. Whatever he wrote was in all respects as he intended it to appear, and if he had been content to leave for printers the task of deciphering illegibilities and correcting sentences—in other words, to abridge his own labor at the expense of others—he would probably have written more and at greater length. But to the last he was equal to the work of editing and correcting the manuscript of others, however much it wore upon him; for the great aim of his labor was to give voice to experience that might otherwise be unknown, and he would rather take in hand a few pages from some unlettered correspondent embodying the actual results of his experience, than deal with folios of correctly written and diffuse ramblings from writers whose syntax and etymology were above their actual knowledge of their subjects. For over forty years at the head of the *Country Gentleman*, and constantly in communication with those who acted under his supervision, as with many correspondents at a distance personally unknown, Mr. Tucker seemed to possess an unusual power of attracting friendship and affection,

of which evidences have often come from quite unexpected sources.

The publication of the paper has been continued successfully since Mr. Tucker's death by his sons, Luther H. Tucker and Gilbert M. Tucker, under the firm name of Luther Tucker & Son, and, as in the past, it ranks among the leading agricultural journals of the United States.

In his personal relations, Mr. Tucker was for many years a man of sorrow. Fairly under way at Rochester, with the promise of his new experiment with a daily paper just budding into fruition, the cholera season of 1832 that swept like a pestilence over the country, visited that place with unusual severity. His young wife and a boy of special promise, in his fifth year, after but a few days' struggle, were carried to the unending repose of the cemetery at Mt. Hope; but they lingered for forty years longer in a recollection that, until the last, was never revived without the deepest emotion. The surviving husband and father fell into a decline from which it was long thought that he could scarcely recover. Marrying the sister of his former wife, she succumbed, in 1844, to consumption, the scourge of her native New England climate, preceded by one daughter and soon after followed by another. Smitten by repeated blows, though assuaged by all that could tend, in social and business relations, to mitigate their severity, he became constantly less inclined to mingle in public occasions, and more bound up in the welfare of those who were left to him.

Since his third marriage, over a quarter of a century had elapsed at the time of his death—a period of exemption from afflictions, and gradually closing over the scars of former wounds—but he seldom, if ever, accepted invitations likely to bring him into prominent notice. During the hot months of summer, which were especially trying to his constitution, he was often so greatly enfeebled as to excite the serious apprehensions of his family. Of unvarying sweetness of disposition in the home circle to which he was so much devoted, the charity that speaketh no evil was equally prominent in his judgment of other men and their motives. The memory of an injury was far less permanent in his mind than the recollection of favors received, kindly words when the business horizon was clouded, and warm sympathies at times of trial. That the struggle of life had wearied him there can be no doubt; but his faith and gratitude, and unselfish efforts for the happiness of others, never wavered; and when his task on earth was over, it may be truly said that he fell asleep with a conscience void of offense toward God and toward man, and a heart unspotted from the world.

In May, 1782, CHARLES R. WEBSTER made his appearance in Albany. His long and conspicuous career forms an interesting chapter in the history of the City and County of Albany.

On his arrival he at once began with Solomon Balentine the publication of the *New York Gazetteer or Northern Intelligencer*. The only existing copies of this paper are in the Albany Institute.

In 1783, Mr. Webster withdrew from the *Gazette* and removed to New York. The paper was enlarged, and continued by Mr. Balentine down to May, 1784, when it was discontinued.

The first pocket almanac ever published in Albany was printed by Mr. Balentine. It is a curious and antique specimen of that kind of publication.

In the latter part of May, 1784, Charles R. Webster returned to Albany and began the publication of the *Albany Gazette*. A regular file of this paper, from the sixteenth number down to the time of its discontinuance in 1845, is preserved in the State Library. At that time it was seventy-two years old—the oldest newspaper in the State. It was conducted with marked ability, and is an excellent record of the proceedings of the Legislature of the State, the Courts of Justice, of the Common Council of Albany, and of the general events of the time in which it existed.

On November 17, 1793, the *Gazette* printing-office was consumed by a terrible conflagration, which broke out on Sunday evening in an out-house belonging to Leonard Gansevoort.

Mr. Webster is justly called the "Father of printing" in Albany. He was born at Hartford, Conn., September 30, 1762. His father was Matthew Webster, and his mother's maiden name was Mabel Pratt.

When Charles was seven years of age, his father, by an unfortunate turn in his affairs, was reduced to poverty, and young Webster was apprenticed to Hudson & Goodwin, publishers of the *Connecticut Courant*, to learn the printer's trade.

The opportunities afforded the boy for schooling were limited to two quarters in a select school. His subsequent education was pursued in silent study in hours which most other boys devoted to play.

At the age of nineteen he was one of the company who marched to New Haven to repel the threatened attack of the British upon that town. In 1781 or 1782, when about twenty years of age, he came to Albany and entered into partnership with Solomon Balentine, the only printer in the city at the time. About the first production beside their paper, was a work entitled "Plain Reasons," a dissuasive from the use of Watts' version of the Psalms, executed with neatness and accuracy. Balentine & Webster began the *Gazette* in 1782. In 1783 the latter left partnership with Balentine and went to New York. Immediately after the evacuation of the city by the British, in company with John Lang he commenced the publication of the *New York Gazette*.

In 1784, he returned to Albany, and commenced the *Albany Gazette*. Mr. Balentine had removed, and Webster was the only printer in the city.

In 1787, he was married to Miss Rachel Steele, of Hartford, who died March 31, 1794. Two children survived her, a son and a daughter. The former was the Rev. Charles Webster, long a pastor of the Presbyterian Church, Monmouth County, N. J. The daughter married Mr. Brown, of Albion.

April 2, 1796, Mr. Webster was married to Miss Cynthia Steele, a sister of his first wife.

Though the columns of the *Gazette* were open to both Federalists and Republicans, it was regarded as a Federal organ. This led to the establishment of a rival paper and printing-office. But the rapid settlement of Western New York furnished abundant patronage for both papers, and largely increased the book-selling and printing business. About this time Mr. Webster associated with himself his brother, George, and some time after, his nephews, Elisha W., Hezekiah and Daniel Skinner, became partners. He was active in the establishment of the Mechanics' Academy, and when that school was abandoned, he became interested in the Lancasterian School and the Apprentices' Library.

He never held any public office, except that of Acting Deputy to the County Clerk of Albany County for a brief period.

Amid all the exciting events that attended the war of 1812, he, though a warm Federalist, maintained a dignity in the tone of his paper, a freedom from ribaldry and personal invective, never compromising his character for fidelity and devotion to the cause he served. No indictments for slander, no suits for libel, were brought against him. He abhorred defamation. Morgan Lewis, when a candidate for Governor, thanked him for his generosity in repelling an unjust attack made on him as soon as it met his eye, although he was busily engaged in using all honorable means to defeat Mr. Lewis' election.

On approaching sixty years, he made a settlement of all his affairs. A division of the property was amicably made, and the firm of Websters & Skinners was dissolved by the withdrawal of the three younger partners. The book-selling, printing and binding was carried on at the old stand by C. R. & G. Webster. This firm was dissolved in 1821, by the death of Mr. George Webster. The surviving brother purchased his half in the property at the Elm-tree corner, for \$13,000, and the firm, E. W. Skinner & Co., purchased one-half the stock for \$10,000. The new firm of Webster & Skinners continued till his death, July 18, 1834. His failing health induced him to visit Saratoga Springs. He made his will and left his home, never to return. His last letter was written July 14, 1834, and, in view of the near approach of death, contained these words: "The aim of my life has been to have my heart right with God and my trust in the merits of the Redeemer." He expired almost instantly, without the slightest appearance of pain, July 18, 1834, and was buried from his residence in Albany, on the 20th. He was about six feet in height, well made in person, erect and easy in motion. His manner was dignified, full of courtesy and sweetness. His conversation was interesting, pure, instructive, entertaining and edifying. The great aim of his life seemed to be the elevation of the masses, especially of all classes of mechanics, in mind and morals. Albany County never possessed a nobler class of toiling men than during his day.

THURLOW WEED had no superior as a political journalist in his day. He was born at the small village of Acra, in the town of Cairo, Green County, November 15, 1797. His parents were natives of Connecticut. His father was Joel Weed. His paternal grandfather was Nathan Weed, a soldier of the revolution, who, with a large family, removed from Connecticut at the close of the war, and settled in the place of Thurlow's birth. Mr. Weed's mother was Mary Ellis, a native of New Haven. He was the eldest of three brothers and two sisters, all of whom he survived, except his brother Osborn.

Mr. Weed's father was an honest, amiable man, "doomed," as Mr. Weed says, "to earn his bread by the sweat of his brow, in the most literal sense. He was bred a farmer; but in 1799 removed to Catskill to become a carman." He continued poor, "sometimes very poor," through life. It is easy to see that, under these circumstances, Thurlow had no advantages for attaining an education.

His first occupation in life was blowing a blacksmith's bellows, for which he received six cents per day, which he expended towards the support of his father's family. When nine years old he obtained a situation as cabin boy on board a North River sloop. This brought him to the City of New York.

The occupation of cabin boy was very much to his taste, and he indulged in the ambition of becoming a sailor. As he says, "but for an infirmity, which incapacitated him for the most essential part of a sailor's duty, his occupation would have been that of a seaman instead of a printer."

After serving on different vessels on the Hudson, he removed, in 1808, with his father, to the town of Cincinnatus, Cortland County, then almost a wilderness. His father attempted to bring a piece of land, covered with woods, to the condition of a farm; but, like all his other adventures, it proved a failure. The boy did what he could to aid his father in erecting a log-house, and to make a clearing in which to plant corn, potatoes, etc. One of his occupations was aiding in making "Black Salts," by leaching ashes gathered from burned log-heaps.

He relates that at this time his parents were so poor, that in winter he was compelled to tie pieces of rag-carpet around his feet instead of shoes, and thus equipped he chopped wood and, in spring, gathered sap. In this wilderness he evinced a strong desire for information. But there were few books, and the pleasure of reading was denied him. Having heard that a family living several miles distant owned a history of the French Revolution, he set out bare-footed through the snow, and obtained the book after considerable entreaty. Candles in his father's house were unknown, and he read the book evenings, after the day's work was done, by the light of pine-knots. In 1809 his father removed from Cincinnatus to Onondaga Hollow, where Thurlow obtained work in an ashery, and in doing such odd jobs of labor as offered themselves.

After abandoning the idea of becoming a sailor, his ambition turned to the life of a printer, which, at last, became irrepressible. After several attempts

to get a place, he became an apprentice in a printing-office in Onondaga Hollow. The work pleased him, and he soon became very useful in the office. Every leisure moment he employed in reading the office newspapers and such books as the village afforded. Here he remained until the war of 1812 broke out.

The printing-office in Onondaga was closed, and he secured a place in the old town of Scipio, where was published a paper called the *Tocsin*. Soon after, he entered the printing-office of Messrs. Seward & Williams, in Utica. The war was then waging, and Mr. Williams, one of his employers, enlisted in the army, and young Weed went with him. After serving in the lines a part of the campaign of 1813, he obtained his discharge, went to Albany, and obtained employment in the office of Webster & Skinner, publishers of the *Albany Gazette*. After working a while at Albany, he went to Herkimer and obtained employment in the office of the *American*, published by Wm. L. Stone, afterwards distinguished as editor of the *Northern Whig*, in Hudson; the *Mirror*, of Hartford; the *Daily Advertiser*, in Albany; and the *Commercial Advertiser*, in New York. Here he made the acquaintance of Michael Hoffman, and Alvan Stewart, the anti-slavery lawyer. At this early day, Mr. Weed made the acquaintance of very many men who became distinguished actors with him in the political arena.

After working in several places as a journeyman printer, he again, in 1815, became a resident of Albany. During the Sessions of the Legislature he listened to its debates, conducted by such men as Martin Van Buren, Erastus Root, and Nathan Sandford in the Senate, and Elisha Williams, William A. Duer, and Samuel Young in the Assembly. Here he took his first lessons in politics. Early in 1816, he began work in the office of the *Albany Argus*, of which Jesse Buel was editor. In 1817, Israel W. Clark, editor and proprietor of the *Albany Register*, invited Mr. Weed to become foreman of the office. It was while here that he first tried his "prentice hand" on editorials. Of these first efforts, he says: "I first wrote brief paragraphs upon common subjects, taking great liberties with the King's English, for I was ignorant of the first principles of grammar; but Mr. Clark, the editor, would good-naturedly point to these blunders and say encouragingly, 'I would improve with time.'" He did; and he became one of the most trenchant and powerful political writers in the State. In the split which occurred in the Republican party in 1818, one faction was headed by Governor De Witt Clinton, the other by Martin Van Buren, leading to a political and personal warfare of great bitterness, in which the pen of Mr. Weed became a somewhat powerful instrument. In the fall of 1818, Mr. Weed purchased the printing establishment of John F. Hubbard, of Norwich, Chenango County, and established the *Agriculturist*, a paper favorable to Mr. Clinton. After conducting this some fourteen months, he disposed of the establishment, returned to Albany, and became foreman in the office of the *Albany Argus*.

In April, 1818, Mr. Weed was married to Miss Catherine Ostrander, of Cooperstown. In his autobiography, he says: "To this marriage I am indebted for as much happiness as usually falls to the lot of man. She more than divided our labors, cares and responsibilities. But for her industry, frugality and good management, I must have been shipwrecked during the first fifteen years of trial. Economy and a well-regulated system in household affairs were virtues I did not possess, and their presence in her saved us from disaster." Mrs. Weed died, deeply mourned, on the fortieth anniversary of their marriage.

Mr. Weed became foreman in the *Argus* office in 1821. In 1822, after a brief residence in Manlius, he became a resident of Rochester, then a new, straggling village, containing but a few hundred inhabitants. Here he found occupation as a journeyman printer in the office of the *Telegraph*, a Clintonian paper published by Everard Peck. Mr. Weed's residence at Rochester in a measure laid the foundation of his future political life. Here he made the acquaintance of Frederick Whitlesey, Derrick Libbey and Colonel Nathaniel Rochester. Mr. Whitlesey, afterwards a Vice-Chancellor of the State, with Wm. H. Seward, Bates Cook and Thurlow Weed, became the founders of the Anti-Masonic party.

In 1823, the *Rochester Telegraph* placed the name of John Q. Adams for President under its editorial head. This was the first paper nominating Mr. Adams. As Mr. Weed was soon known throughout the State as one of the chief supporters of Mr. Adams, he was fairly launched on the sea of politics.

In the singular campaign of 1824, in which Jackson, John Q. Adams, William H. Crawford, Henry Clay and John C. Calhoun were candidates, Mr. Weed and the *Telegraph* were the energetic and efficient friends of the successful candidate, Adams.

In September of that year, an accident to a stage-coach in Rochester, containing William H. Seward and Judge Miller, of Auburn, his father-in-law, led to Mr. Weed's acquaintance with the former. "This acquaintance grew rapidly," says Mr. Weed, "on subsequent occasions, when Mr. Seward was called to Rochester on professional business. Our views on general politics were not dissimilar, and in regard to anti-masonry he soon became imbued with my opinions."

Political anti-masonry, which had lurked in private dwellings, affecting town politics and creating neighborhood feuds, was at this time gathering strength from pamphlets and newspapers, under the leadership of Messrs. Seward, Weed and John C. Spencer, and soon began to exhibit the strength and influence of a new and powerful party. Though the Anti-Masonic party was short-lived, it developed many distinguished men, who are now ranked among the statesmen of the nation. Space will not permit us to follow all the windings of the partisan conflicts in which Mr. Weed was an acknowledged leader.

His singular abilities for molding and controlling public opinion, was first and most admirably

exhibited in the manner in which he manipulated the excitement growing out of the alleged murder of William Morgan by the Masons—molding it into a powerful party.

Mr. Weed was elected Member of Assembly from Monroe County to the session of 1825, and re-elected to the session of 1830.

After retiring from the Legislature, he left Rochester, and again became a resident of Albany. At this time Edwin Croswell was editor of the *Albany Argus*.

While Mr. Weed was in the Assembly in 1830, a project began to be discussed, which in time was carried into effect, and exerted a powerful influence in shaping the future events of his life. This project had in view the establishment of a new journal in Albany, devoted to the interests of the Anti-Masonic party. The first number appeared March 22, 1830, and was called the *Evening Journal*. Political anti-masonry soon passed away. The Whig party coming into existence; the *Evening Journal* became a leading organ. Years passed, and the Whig party also passed into history.

As it is our purpose to speak of Mr. Weed as a journalist and not as a politician, this sketch will be confined mostly to his journalistic career. It is proper, however, to say that, as a journalist, he was one of the founders and supporters of the Whig party, and, as such, he was equally influential in forming and sustaining the Republican party through all its triumphs, down to the time when he retired from the editorial duties of the *Evening Journal*.

Next to the *New York Tribune*, through all the history of the Whig and Republican parties, the *Evening Journal* has been a leading organ of the former, as it now is of the latter party. A contemporary, writing of Mr. Weed when in the zenith of his influence, says: "Everything written by him affords evidence of a powerful mind. His sarcasms are keen, his wit pungent. He knows how to touch the most sensitive part of his adversary. Every blow he strikes is felt. Few editors in America possess more of party tact than Thurlow Weed. He affords decisive evidence of being by nature a great man. He has risen from an obscure situation in life to eminence, and in all the positions which he has occupied he has discovered new resources of mind fully adequate to those powers requisite to meet the exigency."

In contact with all classes of men, he gained a wonderful knowledge of human nature—the ability to read men, to understand their motives, to scan the true spirit of the times—which gave him superiority and influence as a politician. A strong, vigorous and graceful writer, his pen was a source of strength and a defense to his party, to his friends and to himself. Allegiance and fidelity to his friends was a cardinal principle of Thurlow Weed. He was a politician in every sense of the word, excepting in low devices and platitudes. Magnanimous and generous toward rivals; severe, determined and untiring in his opposition to political enemies; his contests were honorable and high-minded.

In 1840, he was appointed State printer, by the removal of his great rival, Edwin Croswell. Mr. Weed always took commendable pride in his calling as a printer and in his connection with the Typographical Society. In January, 1851, writing to the New York Typographical Society, he said:

"It is now forty years since I was apprenticed to the 'Art preservative of all arts.' \* \* \* According to all accounts I was then a very verdant youth. My master not unfrequently proposed to get ideas into my head with the 'mallet,' and on one occasion I evaded a well-aimed experiment in the same direction with the 'sheep's-foot' only by an 'artful dodge.' \* \* \* But now only one branch of our trade is taught to apprentices. A printer is no longer connected with the 'press-room.' The printer of the present day is a stranger to its healthful toil, its rich humors, its merry laugh, its habitual jests, and, I am constrained to remember, its too frequent revelries. The customs of the press-room, along with its labors, are all obsolete. \* \* \* Upon the years of my life which glided away as a journeyman printer in New York, I look back with exceeding gratification. It was a period of high, healthy, buoyant spirits and fresh enjoyment. I was never for a day out of work, and with a hardy frame and willing hand was enabled from my wages to gratify every rational wish. Few journeymen made a larger figure in the 'bill-book' of a Saturday night than myself."

The last time that Mr. Weed ever set type was on the 8th of November, 1854. On receiving the news that Myron H. Clark was elected for Governor, he rushed into the composing-room, "seized a 'stick,' and, himself, threw into 'brevier' these expressive sentences: 'Let the eagle scream! Myron H. Clark is elected!'" Such was Thurlow Weed as an apprentice, journeyman printer and editor. His career as a politician and Statesman is written conspicuously in the history of the State and nation.

In 1869, Mr. Weed retired from journalism, after forty years of unwearied devotion to his duties as an editor. From that, to the day of his death, his time was spent in the genial companionship of his home friends; in correspondence with absent ones, among whom were ranked the most distinguished names in America and Europe; and in reading and in writing reminiscences of his times. He often wrote for the press. Finally, surrounded by everything conducive to happiness, the sun of his life went down. He died in the City of New York, on Wednesday, November 22, 1882, in the eighty-sixth year of his age. His death was peaceful and painless. "A short time before it occurred, while his mind was wandering, he seemed to be carrying on a conversation with President Lincoln and General Scott in regard to the late war. At the conclusion he ordered a carriage, and then, after a moment's pause, said: 'I want to go home!' These were his last words."

The facts of this notice are largely abridged from Mr. Weed's autobiography.

The past has given to Albany many other editors and periodical writers whose graceful pens have

delighted and instructed the public here and elsewhere. Many of them became eminent in other fields of literature. Some were here but a brief time only; but they are worthy of mention. Among them we record the names of William L. Stone, Harry Crosswell, Nathaniel H. Carter, James R. Boyd, S. De Witt Bloodgood, John B. Van Schaick, Henry James, Horace Greeley, Francis Dwight, Ebenezer Emmons, S. H. Hammond, Daniel D. Barnard, Jabez D. Hammond, A. J. Downing, William B. Sprague, E. G. Squire, E. C. Delavan, Jasper Hazen, John A. Dix, A. George Johnson, Alfred B. Street, S. C. Hutchins, and J. Wesley Smith. Not one survives; but their writings remain.

It might seem invidious to speak of the living, some of whom have recently been called to similar duties in a larger sphere; others of whom have retired with laurels; and still others of whom are diligently toiling among us with prospects of a bright fame. As exponents of public sentiment, as teachers of the people, as dispensers of such knowledge as every one seeks to gain, such men ought to fill no second rank in personal character and in general esteem.

#### THE ALBANY COUNTY PRESS.

Under this head we attempt to give a list of all periodical publications of any importance issuing from the press of the county since the very first newspaper printed in the city in 1771. Our sources of information have often been contradictory as to dates of the minor papers, and we do not vouch for the accuracy of all. But a list of them is very suggestive and instructive.

1771.—November. *Albany Gazette*, published by James & Alexander Robertson. Discontinued about 1776, the publishers having joined the British and gone to New York City.

1782.—June 3. *New York Gazette, or Northern Intelligencer*, weekly. Balentine & Webster, publishers. The name was changed and Balentine left out.

1784.—May 28. *The Albany Gazette*, weekly. Charles R. Webster, publisher. May 25, 1789, semi weekly. United with the *Albany Advertiser*, March, 1817, and so continued until April 14, 1845.

1788.—January 26. *The Albany Journal, or Montgomery, Washington and Columbia Intelligencer*. Charles R. & George Webster, publishers. Semi-weekly, winter and summer. In connection with the *Gazette*. Discontinued May 25, 1789. February 11. *The Federal Herald*. Removed from Lansingburgh by Claxton & Babcock, and soon after returned. *The Albany Register*, weekly; John & Robert Barber until 1808; Solomon Southwick until 1817. Revived in 1818 by Israel W. Clark.

1796.—November. *The Chronicle*, John McDonald. Joseph Fry, printer, whom Henry C. Southwick succeeded. Discontinued in 1799.

1797.—*The Albany Centinel*. Loring C. Andrews; afterwards Whiting, Backus & Whiting. Discontinued, November 10, 1806.

1806.—November 11. *The Centinel revived in The Republican Crisis*. Backus & Whiting, and then Isaac Mitchell, publishers. 1808, Harry Crosswell & Co.; William Tucker, printer. In 1809, name changed to *The Balance and New York State Journal*. Crosswell & Frary. Removed to Hudson in 1811.

1807.—*The Guardian*. Van Benthuyzen & Wood, Court street, three doors below Hudson street. Continued about two years.

1812.—April 11. *The Albany Republican*. Samuel R. Brown. Succeeded by Mr. Romain. Finally taken to Saratoga.

1813.—January 26. *The Albany Argus*, tri-weekly, semi-weekly and weekly. Founded by Jesse Buel. A daily in 1825. The Crosswells, Comstock, Cassidy and Manning have been among its publishers and editors. Now the Argus Co. publish it.

1813-14.—*The Stranger*, 8vo, published by John Cook.

1815.—June. *The American Magazine*, monthly. Horatio Gates Spofford. Discontinued May, 1816. September 25, *Albany Daily Advertiser*. Theodore Dwight, editor. John W. Walker, printer. In March, 1817, William L. Stone consolidated it with the *Albany Gazette*. Published by the Websters as *Albany Gazette and Advertiser* until April 14, 1845. June 3. *Christian Visitant*, 4to, by Solomon Southwick. Continued two years. *The Friend*, 8vo, monthly, by D. & S. A. Abbey. Continued one year. *The Statesman*, published and edited by Nathaniel H. Carter, a graduate of Dartmouth College. Removed to New York in 1818.

1819.—June 5. *The Ploughboy*. Solomon Southwick, editor; John O. Cole, printer.

1820.—*Albany Microscope*, started by Charles Galpin and continued a few years.

1822.—August 3. *The Oriental Star*, weekly. Religious. Bezaleel Howe.

1823.—*National Democrat*. William McDougal. Published at Albany and New York. Discontinued April 7, 1824. Revived April 20, by Solomon Southwick.

1824.—May. *Religious Monitor*, monthly. Chauncey Webster. Removed to Philadelphia.

1825.—August 8. *The Albany Patriot and Daily Commercial Intelligencer*. George Galpin.

1826.—July 25. *National Observer*, weekly and semi-weekly, by George Galpin. Continued four years. Edited by Solomon Southwick.

1826.—April 22. *Albany Daily Chronicle*. Chas. Galpin & M. M. Cofe; also, *Albany Morning Chronicle*, John Denio & Seth Richards. Discontinued in 1827.

1826.—*Escritoire, or Masonic and Miscellaneous Album*, started by E. B. Child. February 3, 1827, changed to *American Masonic Record and Albany Saturday Magazine*, E. B. Child. Changed to *American Masonic Record and Albany Literary Journal*, January 30, 1830. May, the *Albany Christian Register*, by L. G. Hoffman. J. R. Boyd, editor. *Christian Register and Telegraph* united with the *Journal* (of Utica) and published by Hosford & Wait as the *Journal and Telegraph*, November 21, 1831. About this time Lewis G. Hoffman published the *American Masonic Register*, five years.

1827.—May. *The Antidote*, by Solomon Southwick, editor; Webster & Wood, publishers. *The Standard*, weekly, by Matthew Cole. August 4. *The Comet*, by Daniel McGlashan, editor. October 13. *The Albany Signs of the Times and Literary Writer*, Daniel McGlashan, publisher; J. B. Van Schaick and S. D. W. Bloodgood, editors.

1828.—*The Morning Chronicle*, daily, by Beach, Denio & Richards. *Albany Chronicle*, semi-weekly.

1828.—*The Age*, by Galpin & Sturtevant.

1828.—December 27. *Albany Times and Literary Writer*, James McGlashan, publisher; Bloodgood and Van Schaick, editors.

1828.—*Albany Minerva*, by Joel Munsell.

1830.—January 30. *The Albanian*, semi-monthly, Arthur N. Sherman. March 22. *The Albany Evening Journal*, Thurlow Weed, editor; B. D. Packard & Co., publishers. April 3. *Farmers', Mechanics', and Workingmen's Advocate*, McPherson & McKercher. April. *Albany Bee*, J. Duffy, W. S. McCulloch & C. Angus.

1831.—September 7. *Albany Literary Gazette*, John P. Jermain, editor; James D. Nicholson, publisher. November 21. *Journal and Telegraph*, Hosford & Wait. *Temperance Recorder*, monthly.

1832.—January 5. *Daily Craftsman*, Roberts and James, editors. *The Albany Quarterly*, 8vo, by Albany Historical Society; edited by J. R. & S. M. Wilson. One volume issued.

1833.—February. *American Quarterly Hemp Magazine*. Continued two years.

1834.—March. *The Cultivator*, conducted by Jesse Buel, J. P. Beekman, and J. D. Wasson. April 5. *The Daily News*, Hunter & Hoffman. *Albany Whig*, by J. B. Van Schaick & Co.

1834.—January. *American Temperance Intelligencer*, monthly.

1835.—October 12. *The Albany Transcript*, C. F. Powell & Co.; a penny paper.

1835.—*Albany Bouquet and Literary Spectator*, by George Trumbull; monthly.

1835.—May. *The Silk Worm*, monthly; two years; then changed to *The Silk Worm and Sugar Manual*; discontinued in 1858.

1836.—*The Zodiac*, Monthly, by Gen. De Courdrey Holstein. *The Common School Assistant*, by J. Orville Taylor.

1838.—January 6. *The Family Newspaper*, weekly, by Solomon Southwick. July 4. *Daily Patriot*, an anti-slavery paper, by J. G. Wallace.

1840.—*The Jeffersonian*, a campaign paper, by Horace Greeley. September 19. *The Unionist*, a daily campaign paper, by J. Munsell, C. Lovelidge, and others. *Tomahawk and Scalping Knife*, short time. *Albany Patriot*, by J. C. Jackson, four years. *The Rough Haver*, daily, campaign.

1841.—*Albany Atlas*, by Vance & Wendell. William Cassidy and H. H. Van Dyke became editors in 1843.

1842.—*The Irishman*, by H. O'Kane, seven weeks. *The Sunday Tickler*, by C. W. Taylor. *Albany Switch*, by H. J. Hastings; afterwards by E. Leslie. November 13. *Youth's Temperance Enterprise*, J. Stanley Smith; three years.

1843.—September 4. *Daily Knickerbocker*, by Hugh J. Hastings. *Weekly Knickerbocker*, June 8, 1857. *The Subterranean*, by James Duffy.

1844.—*Albany Spectator*.

1845.—April 9. *The Albany Freeholder*, a weekly anti-rent paper, by Thomas A. Devyr. *The Gavel*, by Joel Munsell. *The Scourge*, by Woodward & Packard. *Vesper Bell*, by Abbott & Crosby.

1846.—December 8. *Albany Herald*, by A. B. Van Olinda. *The Balance*. December 17. *Albany Morning Telegraph*.

1847.—*District School Journal*, by Francis Dwight. *The Castigator*, by M. J. Smith. September 13. *Albany Morning Express*, a penny paper, by Stone & Henley; discontinued March 22, 1856. *Albany Weekly Express*, issued February 1, 1851.

1848.—*Christian Palladium*, by Jasper Hazen; removed to New Jersey in 1855; was called *Christian Herald* from 1849. *The Busy Bee*, by E. Andrews, two years. *The Castigator*, by Mortimer Smith, editor.

1849.—May 15. *The Albany Daily Messenger*, a penny paper, by B. F. Romaine, editor. June 30. *Sunday Dutchman*.

1850.—February 16. *Albany Daily Times*, by Heron, Furman & Thornton. *Half-Dollar Monthly*, B. F. Romaine. *Journal of the New York State Agricultural Society*; published many years. *Albany Evening Atlas*.

1851.—September 1. *Albany Daily Eagle*, a penny paper, by John Sharts; four months. January 4. *American Mechanic*, by J. M. Patterson. *Carson League*, removed from Syracuse, by J. T. Hazen & T. L. Carson. *Albany Minor and Literary Cabinet*, by J. H. Carroll & W. M. Colburn. October 11. *The Cithren*, by Warner & Hooker. *Northern Light*; continued about three years; conducted by Messrs. Dix, Beck, Dean, Delavan, Hawley, Johnson, Olcott, and Street; a well edited literary paper, as its editors' names indicate.

1852.—*Temperance Recorder*. September 11. *Family Intelligencer*, by Rev. Jasper Hazen; then by J. T. Hazen. *The New York Teacher*, conducted by James Cruikshank, T. W. Valentine,

Francis Dwight, and other teachers, as the organ of the New York State Teachers' Association, for several years. *Albany Freie Blaetter*, by August Miggael.

1853.—February 1. *Evening Transcript*, first Albany penny paper, by Cuyler & Henley. *Prohibitionist*, organ of New York State Temperance Society; edited by Prof. A. McCoy; in 1857, united with *Journal of American Temperance Union*.

1854.—*Family Dental Journal*, monthly, by D. C. Estes.

1855.—July 21. *State Police Tribune*, by S. H. Parsons & R. M. Griffin. Removed to New York.

1856.—March 23. *Albany Daily Statesman*. April 21. *Albany Morning Times*, by Stone & Co. September 8. *Albany Evening Union*, a penny paper; James McFarlane. *Albany Volksblatt*, by George Herb.

1857.—*Albany Microscope*, Charles Galpin. May 4. *Albany Morning Express*, J. C. Cuyler, editor; Stone & Henly, publishers. *Albany Evening Herald*, changed to *Albany Evening Union*, June 29, 1857.

1858.—*American Citizen*. *Evening Courier*. August. *The Hour and the Man*, daily and weekly, by George W. Clarke & John J. Thomas. October. *Mercantile Horn*, weekly, gratis. *Voice of the People*, campaign paper. December. *Evening Standard*, by R. M. Griffin & Co. *Independent Press*; only a few months. *Astronomical Notes*, edited by Prof. Brunow. *American Magazine*, monthly, by J. S. & B. Wood; about one and a half years. *The Gavel*, two years, by John Tanner. *State Military Gazette*, by C. G. Stone; removed to New York.

1863.—January 17. *Standard and Statesman*.

1865.—October. *Albany Evening Post*, a penny paper, by M. & E. Griffin.

1883.—*Outing*, by Outing Publishing and Printing Company, 59 North Pearl street. Removed to Boston.

1881.—*The Inquirer and Criterion*, weekly, by Charles S. Carpenter; February 20, 1882, by Burdick & Taylor. Discontinued January 5, 1884. Republished as *The Inquirer*, April 30, 1884. Now discontinued.

There are, doubtless, a great many others of ephemeral existence, inspired by personal ambition, or by matters of local and temporary interest, such as campaign issues, society organs, school-boy discussions. The *cacoethes scribendi* has had a large development in this city. A collection of all these newspapers in some of our institutions would be interesting and valuable. Many of them are to be found in the State Library and Albany Institute. Some in old chests and garrets. Many more have been consumed by the tooth of time, the flames, or the grinding paper-mill.

## NEWSPAPERS PUBLISHED IN ALBANY AT THE PRESENT TIME.

*The Albany Argus* made its first appearance on Tuesday, January 26, 1813. It was published semi-weekly; Jesse Buel, editor and owner. On August 18, 1825, it issued its first daily paper. *The Daily Argus* and *The Albany Evening Atlas* were united February 18, 1856, under the name of *Atlas and Argus*, with Calvert Comstock and William Cassidy, publishers and editors. On April 6, 1865, they were succeeded by William Cassidy. It became *The Argus* again, Monday, May 15, 1865. On May 6, 1865, The Argus Company was organized. William Cassidy, editor; Daniel Manning and J. Wesley Smith, associates. S. C. Hutchins and St. Clair McKelway have been recent editors. James H. Manning is present editor. Sunday paper issued since May 13, 1877. Argus Building, southwest corner of Broadway and Beaver street.

*Albany Evening Journal*. B. D. Packard & Co. published the first number of *The Journal*, March 22, 1830. It was a strong Anti-Masonic paper. Thurlow Weed was the editor for over thirty years, and rendered it highly influential over the entire State. George Dawson succeeded him as editor. Weed & Dawson Co., and Dawson & Co. have been publishers. The Albany Journal Company published its first copy under the editorship of John A. Sleicher, March 17, 1884, with W. J. Arkell as President; J. W. Drexel, Secretary; James Arkell, Treasurer. The printing-house and office are at No. 61 State street.

*Albany Evening Times*, originally the *Albany Morning Times*, was started Monday, April 21, 1856, by Barnes & Godfrey; then published by Alfred Stone, David M. Barnes and Edward H. Boyd; later by Samuel Wilbor. March 1, 1861, the *Times* was consolidated with the *Evening Courier*, and was first issued as an evening paper September 25, 1865. *Albany Weekly Times* first appeared July 16, 1872. It was for a few years published by the Times Company. Since May, 1881, Theophilus C. Callicot has been the editor and proprietor, at No. 401 Broadway.

*Albany Morning Express* was started September 13, 1847. In 1854 it was published by Munsell & Co. In 1856 its name was changed to the *Daily Statesman*. *The Express* was revived by Stone & Henley, its original proprietors, May 4, 1857, with J. C. Cuyler, editor. In 1860, the publishers were Hunt & Co. *Albany Weekly Express*, issued August 4, 1881; Sunday edition, March 4, 1883. Albany Express Company: Edward Henley, J. C. Cuyler, Addison A. Keyes and Nathan D. Wendell. Printing-house, southwest corner Green and Beaver streets. A recent change has made Prof. Lewis, editor, and W. F. Hurcombe, publisher.

*Daily Press and Knickerbocker*. First number of *Sunday Press*, May 13, 1870; *Daily Press*, February 26, 1877; *Daily Knickerbocker*, September 4, 1843; *Press and Knickerbocker* united, August 10,

1877. *The Weekly Press and Legislative Journal* was issued for the first time, January 8, 1873. The Press Company is composed of John H. Farrell, Myron H. Rooker and James Macfarlane. Printing-house, 18 Beaver street.

*Evening Post.* First issued October, 1860, by R. M. & E. Griffin; editor, R. M. Griffin. Present publishers, M. & E. Griffin, No. 7 Hudson avenue.

*Albany Evening Union.* The Union Printing and Publishing Company first published this paper Monday, May 29, 1882, at their office in Beaver Block, South Pearl street. On Monday, July 16, 1883, John Parr became editor and proprietor, and published the paper from No. 28 Beaver street. Fred. W. White is now president and editor.

*Freie Blaetter*, started by Henry Bender & August Miggael in 1852; now and for many years conducted by August Miggael at No. 26 Beaver street. German daily paper. *Der Sonntagsgast*, issued since 1882 as a supplement to the Saturday edition. Office, No. 44 Beaver street.

*Taglicher Albany Herald.* This German daily was first published by Jacob Heinmiller, Tuesday, October 10, 1871; was issued as *Der Albany Herald* on February 11, 1869. The present office is at No. 87 Westerlo street.

*The Cultivator and Country Gentleman*, a weekly paper since January 4, 1866. As a monthly it was first published as the *Cultivator*, in March, 1834, and conducted by Jesse Buel, J. P. Beekman and J. D. Wasson. It was subsequently published by W. Gaylord & L. Tucker, and by L. Tucker & Son, who united it with *The Country Gentleman*, which was started by Luther Tucker and John T. Thomas, January 6, 1853. It is ably conducted by L. H. & G. M. Tucker, editors and proprietors.

*The Catholic Telegraph*, first issued in Albany, January, 1880. Telegraph Publishing Company was incorporated June, 1882. M. J. Ludden, editor.

*The Guide, I. O. O. F.* D. H. Turner, editor. First published, February 15, 1881. Issued every two weeks. D. H. Turner & G. B. Powers, publishers.

*Albany Law Journal.* Monthly. First number published January 9, 1870. Isaac Grant Thompson, editor; We d, Parsons & Co., publishers, Nos. 39 and 41 Columbia street. Present editor, Irving Browne.

*Our Work at Home.* Monthly. Was first published at the rooms of the City Tract and Missionary Society, September, 1875. Charles Reynolds, editor. The present editor is George Sanderson, Jr. Office, No. 9 North Pearl street. It is the organ of the City Mission and Tract Society.

*The Voice* was first published as a monthly, January, 1879, at 401 Broadway. Edgar S. Werner, editor and proprietor, No. 59 Lancaster street.

*Forest, Forge and Farm.* Published in Albany since June, 1882. H. S. Quackenbush, editor and publisher, Tweddle Building.

*Poultry Monthly.* First issued by the Ferris Publishing Company, November, 1879. Office, 481 Broadway.

*The Medical Annals* was first published in January, 1883, by a Committee of Albany County Medical Society. Burdick & Taylor, 481 Broadway, are the present publishers. Dr. F. C. Curtis and others, editors.

#### NEWSPAPERS PUBLISHED IN OTHER PLACES IN THE COUNTY.

##### COREMANS.

*Coeymans Gazette*; started in 1863 by Gilbert C. Vincent; sold to Willard Pond in 1864; then to Henry Brook; afterwards to McKee & Springstead. Professor Thomas McKee became sole editor and proprietor in December, 1869, and finally took it to Greenbush as the *Rensselaer Gazette*.

*Coeymans Herald*, weekly. S. H. & E. J. Sherman, editors and proprietors.

##### COHOES.

*The Cohoes Advertiser*; started in February, 1847, by Ayres & Co.

*The Cohoes Journal and Advertiser* succeeded the above in January, 1848; continued by same firm until January, 1849.

*The Cohoes Cataract* succeeded the above; published by Silliman & Miller from June, 1849, to September, 1851; then sold to James H. Masten, who published it until January, 1867; then sold it to Anthony S. Baker, its publisher until January, 1870, when it was bought again by J. H. Masten.

*Cohoes Daily News.* J. H. Masten, proprietor.

*Cohoes Regulator.* Alexis Wager, publisher; weekly.

*La Patrie Nouvelle.* J. M. Authier, editor and publisher; weekly.

##### GREEN ISLAND.

*Green Island Review.* Henry L. Gilbert, editor and proprietor; weekly.

##### KNOWERSVILLE.

*Knowersville Gazette*; a local weekly, recently published.

##### RENSSELAERVILLE.

*The Rural Folio*, started in January, 1828, by C. G. & A. Polliner, and continued two years.

##### WEST TROY.

*West Troy Advocate*; started October, 1837, by William Hollands; continued by his widow and son, after his decease.

*Watervliet Daily Democrat*; started by Allen Carey, January 20, 1859.

*Albany County Democrat*; started in 1860. Allen Carey, editor; weekly.

*Watervliet Journal.* Treanor & Hardin, proprietors; weekly.

##### SHAKERS (P. O.)

*Shaker Manifesto.* Edited and published as a 4to monthly, by Rev. G. A. Lomas.

## ENGLISH COLONIAL GOVERNORS OF NEW YORK.

NAMES.	SERVICE BEGAN.	TIME OF SERVICE.			RANK.	CHARACTER.
		Y.	M.	D.		
Nicolls, Richard.....	Sept. 8, 1664...	3	11	9	Colonel.....	Mild and prudent.
Lovelace, Francis.....	Aug. 17, 1668...	4	11	25	Sir, Colonel.....	Arbitrary and oppressive.
Evertse, Cornelis.....	Aug. 12, 1673...	1	7	7	Council of War.....	
Bencker, Jacob.....						
Calve, Anthony.....	Sept. 19, 1673...	1	1	21	Director-General.....	Prudent and energetic.
Andros, Edmund.....	Nov. 10, 1674...	3	0	6	Sir, Knight.....	Arbitrary and odious.
Brockholles, Anthony...	Nov. 16, 1677...	8	21		Military Commander...	
Andros, Edmund.....	Aug. 7, 1678...	2	5	6	Sir, Knight.....	A hated tyrant.
Brockholles, Anthony...	Jan. 13, 1681...	2	7	14	Captain.....	
Dongan, Thomas.....	Aug. 27, 1683...	4	11	14	Colonel.....	Liberal and politic.
Andros, Edmund.....	Aug. 11, 1688...	0	1	28	Sir, Knight.....	Arrogant and selfish.
Nicholson, Francis.....	Oct. 9, 1688...	7	24		Major.....	Brave, irascible, loose morals.
Leisler, Jacob.....	June 3, 1689...	1	9	16	Merchant.....	Bold, honest and earnest.
Sloughter, Henry.....	March 19, 1691...	4	7		Colonel.....	Intemperate and licentious.
Ingoldsby, Richard.....	July 26, 1691...	1	1	4	Major.....	Haughty and insolent.
Fletcher, Benjamin.....	Aug. 30, 1692...	5	7	13	Military Officer.....	Bigoted, weak, covetous and corrupt.
Coote, Richard.....	April 13, 1698...	1	1	4	Earl of Bellomont.....	Energetic and discreet.
Nanfan, John.....	May 17, 1699...	1	2	7		
Coote, Richard.....	July 24, 1700...	7	11		Earl of Bellomont.....	A worthy officer.
Smith, William.....	March 5, 1701...	2	14		{ Councilor.....	Wise and true; friends of the people of the Colony.
De Peyster, Abraham.....					{ Councilor.....	
Schuyler, Peter.....					{ Councilor.....	
Nanfan, John.....	May 19, 1701...	11	14		Lieutenant-Governor...	
Hyde, Edward.....	May 3, 1702...	6	7	15	Lord Cornbury.....	Haughty, vicious, intolerant.
Lovelace, John.....	Dec. 18, 1708...	4	18		Lord Lovelace.....	Weak and inactive.
Schuyler, Peter.....	May 6, 1709...	3			Councilor.....	A true patriot.
Ingoldsby, Richard.....	May 9, 1709...	16			Major.....	Arrogant and exacting.
Schuyler, Peter.....	May 25, 1709...	6			Colonel.....	Vigilant and trusty.
Ingoldsby, Richard.....	June 1, 1709...	10	9		Major.....	
Beekman, Gerardus.....	April 10, 1710...	2	4		Councilor.....	
Hunter, Robert.....	June 14, 1710...	9	0	7	General.....	Liberal and just.
Schuyler, Peter.....	June 21, 1719...	1	2	26	Councilor.....	Judicious and equitable.
Burnet, William.....	Sept. 17, 1720...	7	6	28		
Montgomerie, John.....	April 15, 1728...	3	2	16		Vain and useless.
Van Dam, Rip.....	July 1, 1731...	1	1	0	Councilor.....	Upright and trustworthy.
Cosby, William.....	Aug. 1, 1732...	3	7	9	Colonel.....	Universally detested.
Clarke, George.....	March 10, 1736...	0	7	20		
Clarke, George.....	Oct. 30, 1736...	6	10	2		
Clinton, George.....	Sept. 2, 1743...	10	1	8	Admiral.....	Unreliable and unpopular.
Osborne, Danvers.....	Oct. 10, 1753...	2			Sir, Baronet.....	Committed suicide.
De Lancey, James.....	Oct. 12, 1753...	1	10	21	Lawyer.....	Decided and energetic.
Hardy, Charles.....	Sept. 3, 1755...	1	9	0	Sir, Knight.....	
De Lancey, James.....	June 3, 1757...	3	2	1	Lawyer.....	Loyal and influential.
Colden, Cadwallader.....	Aug. 4, 1760...	1	0	4		Scientific, unpopular.
Colden, Cadwallader.....	Aug. 8, 1761...	2	18			Honest, impolitic.
Monckton, Robert.....	Oct. 26, 1761...		22		General.....	
Colden, Cadwallader.....	Nov. 18, 1761...	7	22			Loyal, not popular.
Monckton, Robert.....	June 14, 1762...	1	0	14		
Colden, Cadwallader.....	June 28, 1763...	2	4	15		Learned, not gracious.
Moore, Henry.....	Nov. 13, 1765...	3	9	29	Sir, Baronet.....	Genial and incompetent.
Colden, Cadwallader.....	Sept. 12, 1769...	1	1	7		Lacked popular sympathy.
Murray, John.....	Oct. 19, 1770...	8	20		Earl of Dunmore.....	Unscrupulous and infamous.
Tryon, William.....	July 9, 1771...	2	8	28		Loyal, but not popular.
Colden, Cadwallader.....	April 7, 1774...	1	2	21		Learned, esteemed, but hated.
Tryon, William.....	June 28, 1775...	4	8	25		Respected, but not loved.
Robertson, James.....	March 23, 1780...	3	0	24	Military Governor.....	
Elliott, Andrew.....	April 17, 1783...	0	7	8	Military Governor.....	Amiable.

We have, partly in order to save space, given the above tabular history of the Colonial Governors. Dates often conflicting have been written down from sources considered most reliable. So far as Albany County is concerned, there is little more to be said about them. The official residence was in New York City, and they seldom came to Albany except for a recreation trip, or for making a show of their importance, and to receive demonstrative

recognition from the well-to-do and loyal people of the second city in their government. Good policy made it best for them, sometimes, to meet the Indians here in council, to make presents and have a good talk with them. They came with pomp, dressed in blue and gold trimmed coats, with gold-laced hats and showy ruffles. They expected processions and feasting, and every demonstration of joy and respect from the people. Policy granted

as much; but sensible men were glad when it was over and expenses paid.

These men were usually of intemperate and licentious habits; of weak or mediocre talents; given to their appetite; ruled by their mistresses and favorites. Dissolute in morals, they were often broken down in strength. They gave formal attention to the religion of the Church which best pleased the King.

They generally had no interest in the welfare of the people. All were foreign born; most of them incompetent pets or members of the English aristocracy. Penniless, useless and dependent at home, they were sent abroad to get rich by robbing the people, and to serve the King—whose sycophants they were—in any way to please him and aggrandize themselves. They sought to associate with themselves the wealthy and influential, from whom they received adulation and flattery, in order to secure favors in petty offices, sensual pleasures and land grants. They kept aloof as much as possible from the toiling people, and asked of them only taxes to pay exorbitant salaries and carry out selfish schemes.

The powers of these Governors were legislative and executive. Outside their favorites they sought no counsel. They had to do with forts, garrisons and all military matters in peace and war; with keeping the Indians on good terms; with church affairs; with the excise; with regulating trade; with granting lands; with appointing civil and military officers; with weights and measures; and even with licensing teachers and midwives and regulating marriage and divorce. Most were interested specially in making land grants, because most productive of wealth. No industries were encouraged. Rents were fluctuating; lands were at low value; trade was paralyzed; taxes high and oppressive during most of these years.

The official terms of most of these Governors were short, and marked by few incidents of importance as proceeding from them. They were often recalled on account of manifest incompetency or glaring dishonesty and fraud. In vain the public, as they gladly saw the departure of a ruling governor, hoped that the next would be a wiser and better man.

The constant call of the people for something better did not reach the ear of royalty except to irritate the selfish and heartless King or Governor. Despising the clamors of their subjects, they neither attempted to soothe them, nor understood how to do it. These colonial years were years of one long and grievous cry for relief from burdens, for heaven-born rights, for representation of their interests. It is easy to see what Albany thought of these matters by the class of men put forward to direct public affairs at home, or to represent them in the Assemblies when they were allowed. Though generally loyal subjects of the government, at the same time they were friends of popular representation and the advancement of the true interests of the colony. Aside from these remarks, we shall have little to say of individual Governors; of some, nothing.

There is no doubt that the influence of the English, particularly those from New England, many of whom resided in New York City, at that time engaged in commerce, had much to do with overriding the will of Peter Stuyvesant, and forced him to a reluctant and bloodless surrender of the Dutch power in 1664. These people, tired of the stubborn tyranny of the inflexible old Governor, were longing for the liberties allowed in New England. They expected them under Governor Nicolls, but they were disappointed. His administration was a mild one; he did not impair the city liberties of Albany, nor interfere with its trade. After its peaceable surrender, September 24, 1664, things went on as usual. During his time the "Duke's Laws" were framed, but no popular representative was allowed; no new franchises conceded. It was decided that the Dutch patents must be renewed as invalid, bringing wealth to the Governor by his enormous fees for granting new titles. The Mohawks made a fearful raid into Canada in 1666, which the French returned. But the colonists had peace.

The odious Lovelace listened to nothing asked by the people. He told them that their business was to work and pay their taxes. He ordered their remonstrance to be burned by the common hangman. His term came to a sudden end. New York was retaken by a Dutch fleet without firing a gun. Lovelace was away enjoying his ease; while Captain John Manning, in charge of Fort James, probably for a bribe, surrendered August 9, 1673, at the first summons. The disappointed Dutch were willing. No one cared except the King and his loyal adherents.

Anthony Colve, who was made Director-General, took possession. Old titles and officers were restored. Albany surrendered to the new government. Fort Albany was named Fort Nassau, and the village of Beverswyck was called Willemstadt. The Reformed Church was specially protected while other religions were tolerated. Andries Draeyer was made Commandant of the Fort. Gerrit Van Slechtenhorst, Cornelis Van Dyck, David Schuyler and Peter Bogardus were made Schepens of the village, and Martin Gerritsen, Pieter Vounen, and Hendrick Van Ness, Schepens of Rensselaerwyck.

But the restored Dutch dynasty was brief. At this time England and Holland were at war. Peace was settled at Westminster, and Governor Colve formally gave over the New Netherlands and its dependencies to Governor Andros, representing his Britannic Majesty, November 10, 1674, and English rule was restored before the Dutch system had fairly begun again. Duke James took out a new patent to save all controversy in relation to his title in America, and the old names of villages and forts were restored.

Andros held sway over a colony of unsubmissive subjects. He filled his position as Governor about five years and a half in all, and never secured confidence and respect. He visited Albany in 1675 and instituted a court to hold sessions every year, beginning in June, to decide civil causes under

500 guilders. Robert Livingston was clerk of this court. He established the Board of Indian Commissioners. In his time the bloody King Philip's War was raging in Massachusetts, which brought great alarm to Albany and Rensselaerwyck. He also made a new treaty with the Mohawks in August, 1675, to foil the designing intrigues of the French Jesuits with this tribe. At a second visit, in February, 1676, it was found that the Mohawks had just returned from a successful attack on King Philip's Indians, and thus allayed the fears of the people of Albany. They had no trouble with Philip, and rendered no aid to their New England neighbors in this direful war.

This year the old fort was so dilapidated that it was deserted—a new stockaded one, by order of Governor Andros, having been built near the present site of St. Peter's Church, so as to defend and command the whole town of Albany. It had four bastions and room for twenty-four guns. It was occupied in June, in command of Captain Sylvester Salisbury. During his time he was frequently called upon in settling church difficulties at Albany, and settling Indian questions, which he generally adjusted acceptably. Andros was loyal to his King, but oppressive. In 1689, he was arrested in Boston by the people, confined in the fort, and his under officers shipped to England.

Dongan called the first representative Assembly, which met at Fort James, October 17, 1683. The names of the two members from Albany and two from Rensselaerwyck are not known. This Assembly adopted a charter of liberties, and divided the province into counties, as stated in another part of this volume. During his time, the claim of the Patroon over the territory of Albany, neglected by Andros, was adjusted amicably and wisely, and Albany received its city charter July 22, 1686. King Charles II died February 16, 1685, and James II, Duke of York, Albany and Ulster, the King's brother, and proprietor of New York and dependencies, became King of England. His rule was fickle and arbitrary. The wishes of the people were not regarded by him. Dongan, though not in sympathy in religious views with a majority of the people, was a man of moderation and gentle manners, and attended faithfully to the interests of the colony in the matters of the French, who were still endeavoring, by religious influence, to seduce the Mohawks. He visited the new city several times, and advanced its policy by good counsel and good appointments. There was some feeling against him, chiefly on account of his religion, at a time of less liberality than now.

King James was forced to abdicate his throne, and William III was proclaimed King, February 16, 1689. Mary, a Protestant sister of James, was his wife, and Queen. This event led to great excitement throughout the colony, particularly in New York and Albany. The government and people of this city hailed the news of a new King and Queen with great demonstrations of joy. They met on the 1st of July, 1689, at the City Hall, and with "y<sup>e</sup> greatest solemnity that could be used in so short a time" marched to the Fort, where public

proclamation was made in English and Dutch, guns fired, and loud acclamations of "God save King William and Queen Mary," were made, concluding with the "Ringing of y<sup>e</sup> Bell, Bonfyres, fireworks, and all o<sup>r</sup> Demonstrations of joy."

The assumption of authority by Jacob Leisler, a merchant and militia captain of New York City, made much trouble in Albany. He held his position with the approval of the people. The aristocracy were opposed to him as a Commander-in-Chief of the Province. He was acting governor for the time. Lieutenant-Governor Nicholson had gone to England, and the colony had no governor. Leisler may have been ambitious, but he was honest and patriotic. He was brave and popular. It was his purpose to give up the trust committed him by the people as soon as a Governor appointed by William and Mary should reach New York. Meanwhile he proffered aid to protect the frontiers at Albany and Schenectady, now in danger of invasion from the French and Indians, and claimed possession of the fort at Albany and recognition of his right to command. He sent his son-in-law, Jacob Milborne, to persuade the people of Albany to yield to Leisler's government. Some of the people looked favorably upon the matter. But the city government regarded the course of Leisler and Milborne as without authority of William and Mary, and therefore seditious. The Mayor, Peter Schuyler, took charge of the fort, and successfully resisted all attempts of Milborne and his troops, who had been sent up from New York for that purpose, to take possession of it. The citizens were divided in their sympathies. They sent for aid to Connecticut, and aid came; to Massachusetts, and they were advised to yield to Leisler and have peace. This they did, because of their fear, especially after the burning of Schenectady, of invasion and devastation. Leisler at once prepared for defense, and sent forces, made up of friendly Indians, soldiers of Albany County and from Connecticut, against Canada. The latter, to the disgust of Leisler, returned August 20, 1690, having seen no enemy and effected nothing. Leisler imprisoned the commander of the expedition, General Winthrop, of Connecticut, and some other officers; established a local government for the City and County of Albany, to control affairs, and returned to New York City. The city was in great fear and disquiet during the winter of 1690-91.

Governor Sloughter came with a commission from the Crown, March 19, 1691. Leisler readily yielded the authority, claimed as from the people. He was no usurper. But the aristocratic haters of popular rule were not satisfied. They caused the immediate arrest of Leisler and Milborne, and had them cast in prison, tried and convicted on the charge of treason. Sloughter, during a drunken debauch, signed the sentence of execution, and they were hanged May 16, 1691. History writes the actors in this malicious murder as traitors against freedom and humanity.

Governor Fletcher, one of the most arrogant and covetous of the Governors, visited Albany as most of the Governors did, to display his authority, and

to hold a meeting with the Sachems. He planned in 1693, at this city, an unsuccessful expedition against Canada. His dishonest conduct, especially in the matter of giving grants of land to his favorites, caused him to be recalled in disgrace. Boastful of military skill, he was cowardly and imbecile in action. A hater of all religion, he was a professed Episcopalian, and made himself odious by an endeavor to make it the only sect recognized by the State and supported by general tax. The brief terms of the Earl of Bellomont were those of judicious management. They embraced the period of the famous piracy of William Kidd. Lord Cornbury left a record of unscrupulous villainy and licentiousness that puts his name in lasting contempt. Governor Hunter promoted the immigration of the Palatinates, kept peace with the Indians, and encouraged improvements.

Governor Burnet was interested in regulating trade with Canada; in cultivating friendly relations with the Indians; and making forts and other defenses more secure. Cosby was narrow in his prejudices and a petty tyrant. The famous Zenger libel case occurred in his time, in 1734. His triumph has been called "the Morning Star of the Revolution." It was, at least, one of the stars. Governor Clarke's administration covers the disgraceful negro plot of 1741, equal in folly to the Salem witchcraft. Governor Clinton's long term was not successful in pleasing the people. He was afraid to displease King George, and all his attempts in public matters displayed ignorance and timidity. Saratoga was destroyed by the French and Indians in 1747.

Governor James De Lancey was a man of liberal culture, an able lawyer, a French Protestant and

a Loyalist. He understood the people and did not boldly oppose them. He was President of the notable Convention held at Albany in 1754. Cadwalader Colden, who, as President of the Council and Lieutenant-Governor, attended to the affairs of the province several years, and most of the time indeed between 1760 and 1774, was a friend of the interests of the colony, as he regarded them. As surveyor he did much in the settlement of land questions. But his inflexible adherence to the English government, his decided want of sympathy with popular feeling of the time, made him odious and his situation unpleasant. Governor Colden had his Majesty's service sincerely at heart, and looked upon all as rebels who questioned its wisdom. He was confident that all men of property and all pious people who had not been poisoned against the King by the Boston party would be true to him. He was, no doubt, honest in his sentiments. He was often at Albany, and was quite actively interested in his efforts to force the Green Mountain Boys to submit to the government of New York. He insisted upon Connecticut River as the eastern boundary of this colony. Sir Henry Moore spent much of his time socially at Albany. The most marked feature of his brief administration was his regranting of the townships in the New Hampshire Grants, as a part of Vermont was then called, and the exaction of large fees for these unjust transactions. William Tryon served his King well, and inflicted all the injuries he could upon the patriots of the revolutionary period, both before and after the declaration of independence. He was the last of the royal Governors, and went back to England in 1780.

## THE COLONIAL MILITARY AFFAIRS AND WARS IN ALBANY COUNTY.

THE storms of rude war were ever beating about Albany during its colonial history. It was a city always under arms. Here were stockaded forts and garrisons. Soldiers were often billeted upon the people; military parade was frequent; the vices of the camp were seen in the street and carried their influence into families. Here was constant fear—fear of foreign foes, of treacherous savages, and of the very soldiers who were sent here to protect life and liberty.

We propose to give enough of the history of these wars to show the relations which the County of Albany sustained to them; the state of the public mind; the condition of the military service; and in general, what was done or borne in Albany by its inhabitants or the soldiers who centered here.

The French in Canada had much reason for unfriendly feelings towards the Mohawks dwelling along the Mohawk River, in fortified castles, approaching Albany. They were jealous of the

Dutch and the English, because these Indians were on terms of amity and commerce with them; and there were suspicions that some of the hostile deeds of these savages were prompted by their rival traders at Albany. Hence, Albany was in great fear of the French and their Adirondack allies. We give the following account of the first experiences which our city had of these French invaders, in the language of the times.

In February, 1666, Monsieur Courcelles, Governor of Canada, made an unsuccessful expedition against the Mohawks, coming unwittingly "within two miles of a small village called Schenectade, lying in the woods beyond Fort Albany in the territories of his Royall Highness. He fell into an ambush and lost some of his men. Seven who were wounded weresent the next day to the village, where they were carefully drest and sent to Albany. The Dutch bores carryed to the camp such provisions as they had, and were too well paid for it;

especially peaz and bread, of wch. a good quantity was bought. He inquired what garrison or fort was at Albany. 'Twas told him a Captain and 60 English Soldyers with 9 pieces of ordinance in a small fort of foure Bastions, and that the captain thereof, Capt. Baker, had sent for 20 men from another garrison of the King's at Sopes."

During the dire war of King Philip, 1674-76, when New England settlements were kept in continual alarm by the wanton cruelties of the Indians, the settlers had no help from New York except what was rendered by Mohawk raid against Philip. For two years, wherever were white settlements in the valleys of New England, there were confusion, desolation and death. They defended their own homes; they fought their own battles.

Governor Andros officially reports in 1678: "The Militia is about 2,000, of wch. about 140 horse in three troops, the foot formed in Companies, most under 100 men each, all indifferently armed with fire-arms of all sizes, ordered and exercized according to law, and are good firemen. One standing company of Souldiers with gunners and other officers for the fforts New York and Albany alwayes victualled in October and November for a year." He adds: "Albany is a small, long stockaded fort with foure bastions in it, 12 gunns, sufficient ag<sup>t</sup> Indians."

Governor Dongan in 1687, reports to the Committee of Trade:

"At Albany there is a Fort made of pine trees, fifteen foot high, and foot over, with Batterys and conveniences made for men to walk about, where are nine guns, small arms for forty men, four Barrils of powder with great and small Shott in proportion. The Timber and Boards being rotten were renewed this year. In my opinion it were better that fort were built up of Stone and Lime which will not be double the charge of this years repair, which yet will not last above 6 or 7 years before it will require the like again, whereas on the contrary, were it built of Lime and Stone it may bee far more easily maintained. And truly its very necessary to have a Fort there, it being a frontier place both to the Indians and French."

On Friday, September 9, 1687, information being received by Governor Dongan and Council, "That y<sup>e</sup> french at Canada are providing 1,500 pairs of Snowshews;" it was ordered "that the Mayor and Magistrates of Albany send orders to the five Nations to bring Down their Wives, children and old men least y<sup>e</sup> french come upon them in the Winter, and none stay in the Castles but y<sup>e</sup> young men." On the next Sunday, September 11th, it is stated that "letters from Albany giving account that the people there are in great consternation thro' apprehension that y<sup>e</sup> french will come down upon them this winter." Whereupon it was "resolved, that every tenth man of all y<sup>e</sup> Militia troupes and Companys within the Province, Except those that were out y<sup>e</sup> last yeare a whaling, be drawn out to go up hither."

In 1689, Chevalier de Callieres, Governor of Montreal and Commander of the Troops and Militia of Canada, planned an expedition of 2,000

men against Orange (Albany) and Manathe (New York). He writes: "The plan is to go straight to Orange, the most advanced town of New York, one hundred leagues from Montreal, which I would undertake to carry, and to proceed thence to seize Manathe, the capital of that colony, situated on the Sea Side." He designed to take his picked soldiers by canoes and flat batteaux, by Richelieu River and Lake Champlain; thence to march along the Hudson direct to Albany, pillaging by the way. Of Albany, he says, "The town is about as large as Montreal, surrounded by picquets, at one end of which is an Earthen Fort defended by palisades & consisting of four small bastions. There is a garrison of 150 men of three companies in the fort, and some small pieces of cannon. Said town of Orange may contain about 150 houses and 300 inhabitants, capable of bearing arms, the majority of whom are Dutch, and some French Refugees with some English.

"After having invested the town and summoned it to surrender with promise not to pillage if it capitulate, I propose, in case of resistance, to cut or burn the palisades in order to afford an opening, and enter then, sword in hand, and seize the fort. These being only 14 feet high can be easily escalated by means of the conveniences we shall find when masters of the town, or by blowing in the gate with a few petards or two small field pieces, which may be of use to me, and I shall find means of conveying there.

"After I shall have become master of the town and fort of Orange, which I expect to achieve before the English can afford it any succor, my intention is to leave a force of 200 men in the fort with sufficient supplies, which I shall find in the city, and to disarm all the inhabitants.

"I shall seize all the barks, batteaux, and canoes that are at Orange, to embark my force on the river, which is navigable down to Manathe, and I shall embark with the troops the necessary provisions and ammunition, and some pieces of cannon to be taken from Fort Orange to serve in the attack on Manathe."

But his plans failed. He never reached Albany.

The wars of the English colonial period were not provoked by any indiscretions of the colonists. They were not originated by them nor in their interest. They were forced upon them by the European government in the supposed interest of the King, for the increase of his wealth and power; or for some petty caprice; or for keeping the soldiers and the people occupied in other matters than in meddling with the prerogatives of kings and governors. The colonists preferred the peaceful pursuits of industry. In war these were endangered. In war their settlements were liable to pillage; their homes to murders and burnings; their every interest to ruin. They were to do the fighting, endure the suffering, and pay the expenses of these wars. This chiefly, and gain nothing. In all these wars the northern American colonies suffered, some of them greatly. Of New England this remark is especially true. Its whole northern frontier without defenses, was exposed to sudden

invasion from the savage. It had no well defended forts, but it had many growing villages and many farm-houses, filled with valuable booty for the plundering Indian. The blood-curdling story of their cruelties has been read in every family. They were encouraged in their deeds of cruelty by the Canadian French, a race with whose trade, politics, and religion the English had no common sympathies and interests. Besides murder and outrage, many women and children were led to a captivity worse than death. All small articles of worth that could sell for what the Indian valued more, were carried away and sold. Silver spoons and plates taken as plunder from New England homes, were offered for sale by these savages, not only in Montreal and Quebec, but in Albany and Schenectady. Although the Indians disliked all Europeans, they hated the English colonists of New England most. Their farms spoiled their hunting grounds, and their increase crowded out the Indians. Then the Indian had not forgotten the Pequod, King Philip, and other early destructive wars. The less aggressive and more seductive French pleased them better. The Iroquois were less friendly to the French. Champlain had taken sides with their Algonquin foe; and they had made terms of amity and trade with the early Dutch and later English. They had fallen upon La Chine in Canada, and committed terrible massacre, and done them all the mischief they could, in sundry places and at sundry times. Later, some of the Mohawks were seduced by French Jesuits, settled in Canada, and took sides against their old friends. But most of these people were true to the Dutch and the English during the whole colonial period, and took sides with the Tories during the Revolution, excepting a part of the Oneidas who had been brought under the influence of Rev. Samuel Kirkland, a New England missionary.

During the French and Indian wars in the eighteenth century, New York was the only northern colony which was virtually uninjured. Its territory was not invaded; few of its men went into the service. Farms continued to be taken up; trade prospered about as usual.

Albany County was subject to alarms, but it had no invasions. It had forts and garrisons, and many wise and prudent citizens to see that the city suffered no detriment.

There was contention among themselves as to matters of policy in government; there were social distinctions; there were cliques and parties. The Conservatives, the Loyalists, and the claimants for the rights of the people for popular representative government, were all busy. There were brains and mediocrity; wealth and poverty. But all agreed that wars were a luxury not to be desired.

Albany was the great center of trade to these Iroquois. Here they often met in business and in council. Here they had many friends. They had here bought many valued trinkets, received many politic courtesies and presents, and had many a drunken carousal. They had seen Albany's fort and stockades.

This statement is given to explain why this city, during all the wars, suffered no ravages from the Indians, who long remember favors and never rush into seen dangers.

The story of the burning of Schenectady has been told again and again. It is given in detail in the history of that county. We need not repeat it. It shows the character of the French and Indian mode of warfare at that time.

#### KING WILLIAM'S WAR.

James II, once Duke of York and Albany, and proprietor of the Colony of New York, was a Roman Catholic. While he was not generous to the territory named after him, he was especially cruel to New England. He became so odious at home that he was driven from his throne, and succeeded by William, Stadtholder of Holland and Prince of Orange, who had married Mary, eldest child and Protestant daughter of James. In November, 1688, William and Mary landed in England and were proclaimed joint sovereigns in February, 1689. This was an era in English liberty. Poor James fled to Louis XIV, Catholic King of France, who espoused his cause. This brought on open hostilities between England and France, which extended to the American colonies, and led to those seven years of dire conflict known as "King William's War," extending from 1689 to the treaty of Ryswick, in Holland, 1697.

There were constant fears in Albany. The Indians were known to be treacherous and revengeful. They were on every side, and often in the city, or very near it, in considerable force. The jealous French were using their influence against the Dutch and English, especially those of Albany, because of their advantage in trade. They feared the Iroquois, and wished, by cunning art, to gain them to their interests; they hated them, and wished to punish them for some remembered cruelties; and the English and French in Europe never loved each other.

To keep the Indians on good terms with the English, and in fighting trim against the French, it seemed necessary for every Governor to meet their Sachems at Albany, have a talk, and make presents. This was especially important when wars were impending.

The importance of Albany to the English crown is strikingly set forth by Governor Sloughter, on the eve of King William's war.

The preservation of Albany was regarded as of great importance as being the only bulwark and safeguard of the King's government on the frontiers of the colony. Says Governor Sloughter: "If the French should assault and gain Albany, all the English colonies on both sides of us would be endangered. For we have nothing but that place that keeps our Indians steady to us, and the loss of that must be the loss of all the King's interest on this continent."

But war had begun; something must be done.

A meeting was held at Albany, November 24, 1689, at which were present: "Y<sup>e</sup> Commissioners

for y<sup>e</sup> Citty and County of Alb advysing with Sundrey officers of y<sup>e</sup> Militia There. where upon It is Resolved That y<sup>e</sup> following Persones be commissioned, vizt.: Captain Jochim Staets Comdr. of Fort Orange always to keep under command in s<sup>d</sup> fort sixty men; Lieut. Jonathan wright; Ens: John Hater. For the city of albany, Pieter minne, Toune Major, Capt. Johannis wendel, Melgert Wynants, Ens: Regnier Barentse, Capt. Pieter van waggden, Leift. Robt. Sanders, Ens: Joh: Bleeker, Jun<sup>r</sup> Capt. Barnet Liewis, Leift. Marte Klock, Ens. For the County of Albany, Capt. Martin gerritse, Lieut. Evert d'Ridder, Ens: Zymon van ness, Capt. Alexander glen, Leift. Johannis glen, Ens: douwe Aukus, Capt. Johannis Bensing, Leift. Andries Barentse, Ens. Johannis Janse.

"Ordered That y<sup>e</sup> aforesaid Commissionated officers now are Established, and shall from this time forth Remaine and be in full Power & y<sup>e</sup> Authority, & y<sup>e</sup> Authority for y<sup>e</sup> Militia of this & County, To act & to doe in all matters and things relating Militarie affaires, according to y<sup>e</sup> Rules & discipline of war, until, further order from his Majestie King William of England, Scotland, French & Ireland, &c."

"In 1689," says Broadhead, in his history of the State, "the City of Albany was not much more than a large stockaded village, of which the two chief streets crossed each other at right angles. The one, 'Handelaer's Straat,' or Market street, ran nearly north and south, skirting the river, proverbially apt to overflow its banks in times of great floods.

"The other, running about east and west, a little way up a steep hill, was called 'Yonkheer's Straat,' now known as State street.

"About half way up the hill stood the fort, just outside one of the city gates."

At this time Albany was the center of the great internal traffic of the province with the Indians. Her importance was second only to that of the metropolis, and her city officers always maintained their official dignity and their loyalty to the Government.

In a Report on the State of the Militia in their Majesties Province of New York, made in April, 1693, by Governor Fletcher:

"The Militia of the County of Albany, commanded by Major Peter Schuyler, being five companies of Foot and one Troop of Horse, now formed into Dragoons by the Governor, consisting of 359." The aggregate in the Province was 2,932.

"In the List of the Officers of the Militia in the Province of New York," made in November, 1700, in the time of Governor Bellomont, the officers of the Regiment of Militia in the City and County of Albany, is given as follows: Field Officers—Peter Schuyler, Colonel; ———, Lieutenant-Colonel; Dryck Wessels, Major.

Of a Foot Company in the City of Albany: Commissioned Officers—Johannes Bleeker, Captain; Johannes Rosebaum, Lieutenant; Abra. Cuyler, Ensign.

Of another Foot Company in the said City: Albert Rykman, Captain; Wessel Ten Brock, Lieutenant; Johannes Thomasse, Ensign.

Of another Foot Company in the said County: Martin Cornelisse, Captain; Andries Douw, Lieutenant; Andris Koyman, Ensign.

Of another Foot Company in said County: Gerrit Teunisse, Captain; Jonas Douw, Jochem Lamerse, Lieutenants; Volckhart V. Hoesem, Abra. Hause, Ensigns.

Of the Troop of Horse in y<sup>e</sup> said Regiment: Kilian Van Renslaer, Captain; Johannes Schuyler, Lieutenant; Bennone V. Corlaer, Cornet; Anthony Bries, Quartermaster. This Regiment consists of Three hundred and Seventy-one men.

"The Governo<sup>r</sup> hath established a Court Martiall att Albany, whereof Major Rich'd Ingoldsby is President & Robert Livingston, Judge Advocate, who, with other commissioned Captains at Albany, have power to exercise Martiall Law, being a frontear Garrison and in actual Warr." M. Clarkson, Secry.

The people of Albany were in great alarm when they learned of the fearful fire and massacre that came upon the near City of Schnectady in 1690. The expedition was sent by Count Frontenac, Governor of Canada, and came so suddenly upon the doomed village on that gloomy winter night in February, and without provocation, that no people felt safe from savage invasion and cruelty.

An expedition was sent from New England and New York against Canada, under command of General Winthrop, of Connecticut, its purpose being punishment for wrongs inflicted on the borders, and for conquest of the troublesome French.

Some troops, from New York and Connecticut, with Indians of the Five Nations, placed under the command of Colonel Peter Schuyler, left Albany early in July, 1690, and pushed toward the St. Lawrence, where they met Frontenac in August, and were repulsed. Milborne, by direction of Leisler, furnished subsistence for this army. Feuds between these motley and undisciplined troops caused the failure of the expedition. A part of the force under Winthrop went no farther than Wood Creek, at the head Lake Champlain. All returned to Albany where they met the amazed and indignant Leisler, who caused the arrest of Winthrop and some of his leading officers and put them in confinement.

In July, 1691, Governor Sloughter, after a visit to Albany, writes: "I returned from Albany on the 27th past, where I left all things in good posture, and with much difficulty have secured the Indians. I found that place in great disorder, our plantations and Schenectady almost ruined and destroyed by the enemys dureing the time of the late confusion there. I have garrisoned Schenectady and the Halfe Moon with some of the hundred fusileers raised by our Assembly; the remainder, with one of the King's Companys, are posted at Albany."

Major Peter Schuyler, then Mayor of the City, marched from Albany June 21, 1691, with a few soldiers and Indians. On the 1st of August he came upon a French Settlement near Montreal, and killed about 200 of the French and Indian inhabitants, with a loss of only 43, of whom 22 were Indians.

After this, Major Ingoldsby commanded at Fort Orange, while the county militia were placed by Governor Fletcher under command of Major Peter Schuyler, in all 359 men.

In June, 1693, the Governor held another Conference with the Five Nations at Albany, to counteract, if possible, the artful efforts of the French to excite them against the colony. By bountiful gifts and flattering words, the conference greatly delighted the Indians and secured their friendship.

The sum of £1,500 had been appropriated for the repair of Fort Orange. In September, 1693, 560 new palisades were collected and "sett up against the old Stockadoes." No effort was omitted that the defenses of the city might be kept in good condition and the soldiers on a war footing.

Bands of Canadian Indians often came near the city in 1696-97, causing great alarm to the inhabitants. Houses and barns were burned and cattle killed on the farms in the county, and many left their homes, so great was the fear of savage murder.

After the peace of Ryswick, ending this war, a census was taken, as given in the article on population, in which it was made to appear that the population of the county, as it then was, had been reduced from 662 men, 340 women, and 1,014 children in 1689, to 382 men, 262 women, and 805 children in 1698. There had left the city and county during the war, 142 men, 68 women, and 209 children; and 84 men had been killed, 38 had died, and 16 had been taken prisoners.

Early in July, 1698, a general peace was concluded at Ryswick. The Earl of Bellomont was then Governor-General of the Province of New York. The following paper was drawn up and presented at a meeting of the Common Council held in the City of Albany, the 2d day of August, 1698. It shows the public feeling at that time.

The Common Council are unanimously of the opinion to address his Excell. the Earl of Bellomont on the following heads:

1. To thank his Lordship for bringing y<sup>e</sup> joyfull news of y<sup>e</sup> Peace.

2. To acquaint his Lordship y<sup>e</sup> great hardships this poor City has labored under for these 9 years dreadful and bloody warr; during which time they have not only been at an Excessive Charge and Expense in quartering y<sup>e</sup> officers and souldiers sent hither from time to time, but have been obliged, for their own security, to fortify y<sup>e</sup> towne twice with Palesadoes, and build 5 block houses, all at their own charge, which hath so much impoverished y<sup>e</sup> Inhabitants y<sup>e</sup> most have deserted.

3. That this Citty doth wholly rely and depend upon y<sup>e</sup> Indian Trade, upon which account it was first settled, and have obtained a Charter whereby y<sup>e</sup> Sole trade with y<sup>e</sup> Indians is confined within y<sup>e</sup> walls of s<sup>d</sup> Citty, doth therefore humbly address his L<sup>d</sup> to protect and defend them in there Rights and Priviledges, and doe thank his L<sup>d</sup> for his great trouble and care in treating with y<sup>e</sup> 5 nations for y<sup>e</sup> Public good and advantage to this Citty, and doe further return there best thanks for y<sup>e</sup> good Instructions his L<sup>d</sup> has been pleased to give them, assuring his L<sup>d</sup> that they will not be wanting in using there utmost endeavors to unite all parties, and restore this Citty to its Priviledges and Rights; that they will also observe all y<sup>e</sup> oy<sup>r</sup> articles Mentioned in his L<sup>d</sup>'s instructions.

## QUEEN ANNE'S WAR.

When James II died, an exile in France, in 1701, his friend, the French King, proclaimed James Francis, his son, King of England. Anne, the second daughter of James, had been crowned the English Queen. She was a Protestant. War was declared against France in 1702, because of this affront to the sovereign of England. It was known as the War of the Spanish Succession in Europe, but as "Queen Anne's War" in America. It lasted until April 11, 1713, when a treaty of peace was concluded at Utrecht.

During this war, blood flowed in nearly every village and valley in New England. The atrocities of the French and Indians were so monstrous in New England, that the conquest of Canada at any cost, seemed to be looked upon as a necessity. And all that blood and treasure could do was offered by the northern colonies to accomplish this purpose. But help from England was an abortion, the causes of which we proceed to show.

During the time of peace that preceded Queen Anne's War, the soldiers who composed the garrison at Fort Orange were much neglected. In 1700, Governor Bellomont writes: "Some of the inhabitants of Albany who are now here [New York City] tell me the Soldiers there in Garrison are in that shameful and miserable condition for the want of Cloaths, that the like was never seen." Even the Indians were disgusted as they observed their situation. The Governor continues: "Persons assure me that some of the old crafty sachems of the Five Nations have asked 'em whether they thought 'em such fooles as to believe our King could protect 'em from the French when he was not able to Keep his Soldiers in a Condition as those in Canada are Kept."

In October of this year the Governor visited Albany to look after the Indians. While there he reviewed the two companies in the garrison under Major Ingoldsby and Captain Weems. Of them he writes: "I never in my life saw so moving a sight as that of the Companies at Albany; half the men were without breeches, shoes and stockings when they mustered. I thought it shameful to the last degree to see English soldiers so abused. They had like to have mutinied." He found the forts "scandalously weak;" and adds: "The inhabitants came all about me at my leaving Albany, and told me in plain terms that if the King would not build a fort there to protect 'em, they would, on the first news of war between England and France desert the place and fly to New York rather than they would stay there to have their throats cut." "There are half a dozen at Albany who have competent estates, but all the rest are miserable poor."

At this time the City and County of Albany furnished 371 militia men, under command of Colonel Pieter Schuyler, with Dirck Wessells as Major. In the colony there were 3,182 enrolled militia.

In 1702, Colonel Schuyler's regiment of the Militia of the County of Albany was pronounced in pretty good condition, owing to his care.

In July, 1702, when Cornbury visited Albany, just on the eve of another war, he found the fort "in a miserable condition, "the stockadoes about all rotten to such a degree that I can with ease push them down." The garrison, still commanded by Major Ingoldsby, composed of 176 soldiers besides officers, was still in sad want of clothing and provisions.

It was heard at Albany that the French and Indians were making great preparations at Montreal, supposed to be against Schenectady and Albany. Something was done to repair the old fort in 1704, by putting up new palisades. The new fort was begun, but, for want of money, left incomplete. It was not finished until 1735.

A large number of soldiers and Indians were brought together at Albany in the summer of 1709, prepared to invade Canada. The command of these provincials was given to Colonel Francis Nicholson. Albany entered warmly into this scheme of conquest. The quota was furnished, and volunteer Companies were organized. Under the influence of Peter Schuyler, the Five Nations took up the hatchet and sent 500 warriors to join the expedition. The outrages upon Deerfield and other New England villages had aroused the northern colonies, and led the British Ministry to fall in with this plan for seizing the French possessions in America. It contemplated an attack upon Quebec by water, while the troops of New York and New England were to make an attempt on Montreal by way of Lake Champlain. New York had, at her own expense, opened a military road for the more easy movement of troops and supplies from Albany to the Lake, beginning at the present village of Schuylerville and running through dense forests by way of Fort Edward and Wood Creek. They had erected on the way, three wood forts, and built bateaux and canoes. All being ready, the army left Albany and encamped at the middle fort, named Fort Ann, waiting to hear from the naval expedition against Quebec. When it was learned that it was sent against Spain instead, the troops were discouraged; many were sick, and died with a malignant disease. They broke camp and returned to Albany.

Colonel Schuyler and other leading men of Albany, who saw that there could be no lasting peace until the French were driven out of Canada, were greatly chagrined at the failure of this expedition. In 1710 he took with him five Indian Sachems and sailed for England, hoping to interest the Crown in this matter.

Through his influence, a fleet with 5,000 troops was sent from England to help the provinces in another attempt to subject Canada. This was in 1711. On the last day of July, a fleet of twelve men-of-war and forty-six smaller vessels left Boston for the St. Lawrence, having Montreal as its objective point. Here was to be a junction with a strong force mustered at Albany, under the command of General Nicholson. In the latter part of August, Nicholson, with an army of 2,000 English, 1,000 Germans, and 800 Indians, moved from Albany toward Lake Champlain. They took the

Lake George route. Meanwhile the English fleet had, in a thick fog, struck upon rocks; lost eight transports and 800 men, and returned to England. Hearing of this disaster, General Nicholson ordered an immediate return to Albany, and Canada was safe for many years longer. Colonels Schuyler, Whitney, and Ingoldsby were in this expedition. The peace of Utrecht ended this expensive and foolish war, the French acknowledging the Five Nations as British subjects, and promising to let them alone. These two abortive attempts cost New York alone £30,000 sterling. The Colonists were disgusted and disheartened, and the Five Nations began to show signs of alienation from the English, whose failures they regarded as weak and cowardly.

The following record shows the military condition of Albany just on the eve of the preparation for this last expedition.

May 20, 1711, Robert Hunter, Captain-General and Governor-in-Chief of the Province of New York, called the troops from Albany to the Manor of Livingston, and directed that the Militia of Albany be called to arms to protect that city in the absence of the garrison. Accordingly, the Mayor and Aldermen met May 21, 1711, and sent the following letter to his Excellency.

"Albany, y<sup>e</sup> 21<sup>st</sup> of May, 1711.

"May it please your Ex<sup>cy</sup>.

"Your Ex<sup>cys</sup> Letter dated yesterday we rec<sup>d</sup> y<sup>s</sup>. day, and in Obedience thereof, we have forthwith procured a Sloop for y<sup>e</sup> transportation of y<sup>e</sup> Troops here, and desired Peter Schuyler, Esqr., Collo of the militia Regiment of y<sup>e</sup> City & County, that he will immediately order y<sup>e</sup> militia of this City to Come in Arms to take care of y<sup>e</sup> fort and this place during y<sup>e</sup> absence of y<sup>e</sup> s<sup>d</sup> troops; who returned answer that he would comply therewith. So remain in all sincerity,

"May it please your Ex<sup>cy</sup>,

Your Ex<sup>cys</sup> most obedient and humble servants."

This was signed by the Mayor, Recorder, and Aldermen.

#### KING GEORGE'S WAR.

For over thirty years there had been peace in the colonies. A quarrel arose between George II, King of England, and the King of France, respecting the claims of Maria Theresa to the throne of Austria. The question at issue did not interest the American colonists. But these Kings were ready for a fight, and as things then were, their caprices involved the English and French colonies in America. War was declared March 15, 1744, by France against England, which is called in Europe the War of the Austrian Succession; in America, King George's War.

The news of another war, when received at Albany in June, three months after its declaration, naturally excited great apprehensions of the repetition of acts of cruelty and blood. Governor Clinton came to the city and held another success-

ful conference with the Sachems of the Six Nations, cautioning them against the treacherous French, and reminding them of the wrongs which their people in the past had suffered from that nation. The Governor sent to Albany six 18-pound cannons, with powder, balls, and other military supplies. He put on foot a scheme to reduce the strong fort at Crown Point. Meanwhile the alarm was increased by the attack of the French and Indians upon old Saratoga, now Schuylerville, burning its fort and about 20 houses, killing some 30 persons, and taking nearly 60 prisoners. Refugees came to Albany to spend the winter; soldiers were quartered there. There was general commotion in the county. Two companies of His Majesty's Fusileers were sent up to Albany, and the Indians were ordered to have their hatchets ready.

In August, 1746, the famous Colonel William Johnson, at the head of a company of Mohawks, all in war paint, came into the city. The Mohawks agreed, after some politic maneuvering, to take sides against the French. The truth is, the French best pleased them, but they secured more protection and other favors from the Dutch and English. Their fidelity was not to be trusted when war came, except by renewed gifts, promises, and appeals.

A militia sergeant had been killed by some Canadian scouts. Colonel Johnson was ordered to send out scouting parties to harass the French of Canada. But, while they brought back some scalps and prisoners, they demanded a good many extra favors to keep them in good temper, even under the skillful tactics of Johnson.

Later in the autumn of 1746, Governor Clinton sent five companies of soldiers to Albany. Massachusetts and New York resumed their preparations against Canada, and began, although winter was near, to collect men and munitions of war at Albany. But, by the wiser counsel of Connecticut, the expedition was given over, and nothing was done. Troops from Pennsylvania, New Jersey, and other provinces were posted near by, with Albany as a center, in 1747, to guard the frontiers. Colonel Schuyler had command of the New Jersey troops. During this time a mutinous spirit manifested itself among all the troops but those of Colonel Schuyler, on the ground that they were poorly paid. The trading people of the city, who had but little to do (protected as they were) but to make gain out of these soldiers, are said to have incited this mutinous spirit against Governor Clinton, intimating that he withheld their pay for his own uses.

The war was ended by the treaty of Aix-la-Chapelle, made October 18, 1748, in which all losses by either nation were restored. But the ancient hate and the memory of recent damaging contests had not died out. It was only a forced and temporary suspension of hostilities after a foolish war, with nothing gained. Some of the people of Albany County had suffered annoyance, but some, also, had made profit from the military placed here to keep off danger. They had not, however, left their own castles, and were none the worse off for King George's war.

## THE OLD FRENCH AND INDIAN WAR, 1754 TO 1763.

The last of the four intercolonial wars in which the colonies were involved, and which ended the French rule in America, was declared against France by England, May 17, 1756, and reciprocated by the declaration of war against England by France on the 9th of June succeeding. It was a war made with the earnest determination on the part of England to put an end to the aggressions of the French in this country. It was a war to determine whether America should be New England or New France. The French had been encompassing the English colonies with forts from Lake Champlain to the mouth of the Mississippi, including the Great Lakes, the Ohio River, the streams that run into them, and the land that bordered them. Their aim was to shut in the colonists between the Atlantic and the Appalachian Hills, and then force them into submission.

The colonists were deeply interested in this war; those of the North, including New England and New York, especially. To it they gave their hard-earned possessions and their lives, and England was willing that her hardy, grown-up children here should do the fighting and pay the expenses.

But this war did for both the Old and New England far more than they then knew. It taught the hardy soldier how to use arms and plan battles; it taught the colonies that they were old enough and able to govern themselves. Its close was the morning of the Revolution of 1776.

This war was really a sequel to King George's War. The hate between England and France was not ended by treaty. Vexatious irruptions from Canadian Indians continued.

On the 28th of August, 1754, a party of French Indians invaded the Province of New York, and burned the houses and barns of some of the settlers at Hoosic, and took back with them to Canada the Schaghticoke Indians, about sixty in number.

Lieutenant-Governor DeLancey immediately ordered the fort at Albany to be repaired and put in order. He sent a company of soldiers from New York to Albany, and directed that 200 men from each regiment of militia near Albany, be ready to march to the city when needed.

Although kept in constant alarm, and seeing much of the "pomp and circumstance of war," Albany really suffered nothing from invasion, and but little from loss of money or men during its existence.

We find but little in the city records touching the conduct of this war, only a few doings of the Common Council which make complaint and ask for better defenses.

A meeting of the Common Council was held at the City Hall on the 29th day of May, 1753.

At this time James DeLancey was acting Governor of the Province. Albany was a frontier town. At this meeting, a petition was directed to Governor DeLancey, signed by the Mayor and Aldermen, setting forth:

That the City of Albany is a frontier town, and the defense thereof is of great consequence to the safety of the whole province in case of War with the French; that the city is altogether undefensible, exposed to the incursions of any enemy, and the corporation, by reason of the heavy debt they are under, occasioned by the great expense we were at during the late war, and not wise able to fortify the city unless assisted by a provincial Tax; and whereas, your Excellencies have prepared a petition to be laid before the General Assembly, praying they would be pleased to lay a tax of £6,000 on estates throughout this province to defray the expense of building a wall with bastions or batteries at convenient distances, for the defence of said city and security of the province.

The document closes with a prayer that

His Excellency will recommend to the General Assembly, in the most pressing terms that you think proper, to raise the sum of £6,000 for defraying the expense of said Wall.

This petition was presented to the Legislature by Robert Livingston. At this time there was a wall around part of the city; and stockades, with block-houses at convenient distances, inclosed the city; and there was a fort bristling with cannon. But its exposure to the incursions of the French and Indians was so great, that its municipal government was urging the provincial authorities to afford greater security by building "a stone wall with bastions and batteries," around the city.

This petition for a stone wall and bastions around the city seems to have been disregarded by the General Assembly.

At a meeting of the Common Council held on the 22d of May, 1756, the matter was again taken up in a petition directed to Governor Charles Hardy, the preamble of which sets forth the defenceless condition of the city, praying for the erection of a wall, or at least for new stockades, and more cannon for the fort.

At this time there was encamped on the hill, about where the Old Capitol afterwards stood, a regiment of soldiers. An ordinance was passed by the Common Council forbidding all tavern keepers and all other persons selling any strong liquor to any of his Majesty's troops, or harboring or entertaining any of them after 9 o'clock p. m.

During this war many troops were encamped in and around Albany. Some were at Port Schuyler, as it is now called. Some were on the flat lands in Albany and Bethlehem, as well as at Watervliet, and on the opposite side of the Hudson. The Hudson itself bore many vessels laden with munitions of war and troops for its service. The music of the drum and fife, and the training of the provincial militia and the English soldiery, were daily events. When General James Abercrombie was here in 1756, it is estimated that about 10,000 troops were encamped on both sides of the river. Lords Loudon and Amherst also tented here, and disciplined their armies for war. The people of the city and vicinity were greatly interested in furnishing supplies and service. Indian warriors, with their squaws and papooses, added to the liveliness of the scene.

The expeditions of 1755 and 1756, from Albany to Oswego, to attack Forts Frontenac and Niagara, under Governor Shirley, included Albany soldiers, of whom we have the name of General (then Captain) Philip Schuyler, who assisted in forwarding

large supplies to Oswego. The march was perilous and fatiguing. Two forts were built to strengthen the Old Fort Oswego, called New Fort and Fort Ontario; vessels were built and other preparations on a large scale were made against Fort Niagara. But the approach of winter and heavy rains suspended the attack, and, after garrisoning the forts, he returned to Albany and disbanded the rest of his troops. During the winter, further preparations were made at Albany to proceed against Niagara in the spring. Early that season General Winslow was at Albany with 7,000 men, waiting for the arrival of the ever-dilatory Lord Loudon, Commander-in-Chief. His delay until late in the summer proved a fatal one. Montcalm had the English forts at Oswego in his possession, and held them until 1757, when, once more, Fort Ontario again came into possession of the English, and so remained until the Revolution.

Plans were made in 1755 to attack the French fort at Crown Point. The command of the expedition was given to Sir William Johnson. Troops were gathered at Albany and Greenbush from different colonies. Among these was a regiment under Colonel Ephraim Williams, of Massachusetts, whose will, made here at that time, on the 22d July, 1755, laid the foundation of Williams College. On the 8th day of September following, while within four miles of the English army, to join which he was on the march, he was attacked by the bold French commander, Dieskau, valiantly opposing this assault. Colonel Williams was killed. Soon after, Dieskau, fighting against the main army, under Johnson, was fatally wounded and taken prisoner to Albany. He lived to reach England and there died.

General Johnson was greatly delayed in his movement on Crown Point. At this time he complained much of the people of Albany County, saying, among other severe things, that he had "great opposition from those Dutch traders at Albany;" and, again, "these people are so much devoted to their own private profit, that every other public principle has ever been sacrificed to it;" and, again he writes, under date of September 16th: "Our expedition is likely to be extremely distressed and, I fear, fatally retarded for the want of wagons. The people of Albany County and the adjacent counties hide their wagons and drive away their horses. Most of the wagoners taken into the service have deserted; some horses are quite jaded, and some few killed by the enemy, and several run away. Most of our provisions are at Albany."

All these delays discouraged the enterprise, and led Johnson, at the approach of winter, after having built Fort William Henry and left there a garrison of 600 men, to return to Albany and disband his troops. At the close of this fruitless expedition, King George II made him a gift of £500 and granted him a baronetcy, an honor which he had not fairly earned. The best service of the expedition was rendered by New England officers and men.

In 1757, the citizens of Albany were in great alarm at the advance of Montcalm. His attack

upon Fort William Henry in August of this year caused the greatest consternation, especially when the savage slaughter of the garrison by the Indians, as it left the fort, became known. An increasing army centered in the city; a large number quartered here during the fall and winter, and the place became a house of refuge to the frontier settlers.

It was during this winter that the sober people of Albany were scandalized by the social manners of the English officers and soldiery, many of whom gave themselves to theatrical plays and all the blandishments of dress, fashion, social flirtation and debauchery. The Anglomania of this season is graphically described by Mrs. Grant, in "The American Lady."

In the early summer of 1758, General Abercrombie and his several regiments of troops were encamped upon the "Pasture," or great flat lands on the south side of the city. Among his officers was the long-remembered and amiable Lord Howe. Great hopes were rested in this army, which, in July, was most crushingly defeated in its movement upon Ticonderoga, then called Fort Carillon. Albany soldiers accompanied the inefficient Abercrombie. The disheartened army retreated to Fort William Henry, and many of the wounded were conveyed to Albany. The brave Lord Howe was slain in this battle, and his body, in charge of Philip Schuyler, was entombed in this city, first in Schuyler's family tomb and finally under St. Peter's Church. His death was mourned in America and England, while the presumption and cowardice of Abercrombie made his name contemptible.

As a contribution to the local history of this period, indicative of the character of the people and the army, we give the following extract from the doings of the Common Council.

*Whereas*, Sundry complaints have been made, and in particular by the Right Honorable Lord Viscount Howe, of the great abuse in selling Rum and other strong Liquors to Soldiers, which, by means of their continual drinking, impairs and weakens their constitutions and renders them unfit for duty; and we being conscious of the justness of the complaint, as well as the mischiefs that may arise from the said abuse, and being willing to remedy it as much as in us lays, Be it therefore ordained by the Mayor, Aldermen and Commonalty of the City of Albany, and it is hereby ordained by the authority of the same, that no person whatsoever after publication hereof presume to sell any Rum or other strong liquors to any Soldier or Soldiers whatsoever, or to any other person for their use; and in case any person or persons shall be convicted before the Mayor, Recorder, or any of the Aldermen of selling any Rum or other distilled Liquor, as aforesaid, to any Soldier or Soldiers, she or they so offending shall, for the first offence, forfeit the sum of twenty shillings current money of New York, and for every like offense after, the sum of forty shillings, to be levied by dis-

treas and sale of the offender's goods, one-half for the benefit of the informer, and the other half for the use of the City. Dated Albany, this Seventh day of December, 1756.

Among the expeditions in which soldiers of Albany were engaged, was the one against old Fort Frontenac, under Colonel John Bradstreet. This was a French fort and a fur-trading and missionary station, near where Kingston, Canada, now is. The fort was erected in 1673 by Governor Louis Frontenac, and was for many years regarded as one of the strongest and most important in America. After the defeat of Abercrombie at Ticonderoga, in 1758, Colonel Bradstreet, at his own request, went across the wilderness to Oswego, and advanced to the fort in three vessels. The approach was sudden and the fort was weak. It surrendered without a contest. His force consisted of New York and New England troops. Among the officers were Captains Peter Yates and Goosen Van Schaick, of Albany, the latter of whom became a Colonel in the New York revolutionary line. Colonel Bradstreet was Commissary-General in 1756, keeping up supplies between Albany and Oswego, with much annoyance from the French Indians, with whom he had several successful and bloody skirmishes.

On their return from Fort Frontenac, his small army aided in building Fort Stanwix, near where Rome is now situated. This fortunate expedition resulted in the exchange of the Commander of the fort for Colonel Peter Schuyler, then a prisoner in Canada, and turning over 9 armed vessels, 40 pieces of cannon, a great quantity of stores, the fort itself, and 110 men as prisoners of war. The name of Bradstreet is deserving of honor, as a brave soldier and an excellent man. He was an intimate friend of Philip Schuyler, whose counsel and aid he sought, not only at this time, but in subsequent service.

In May and June, 1759, Lord Jeffrey Amherst, an English officer of great merit, encamped about the City of Albany. In July, his army of New York and New England soldiers moved toward Ticonderoga and Crown Point. The French forces withdrew on their approach and both these strongholds came into the hands of the English.

The fall of Quebec, September 12th, and of Montreal soon after, gave Canada to the British and ended the French dominion in America. A definitive treaty was concluded at Paris, February 10, 1763.

Albany County had no more alarms from the French and Indians of Canada. The usual industrial pursuits of peace were resumed.

## THE AMERICAN REVOLUTIONARY PERIOD.

By Prof. J. TENNEY.

THE representative principle must be sought away back in the ages—in the first communities of men. Its growth, traced through all the forms of industrial, ecclesiastical and civil institutions, has never yet been carefully written out. It would be the work of a lifetime. It took deeper root and expanded more rapidly and vigorously in Anglo-Saxon Britain than among any other people. Its democratic element gradually acquired great distinctness and purity, and in this form was first brought over to the stormy coasts of primitive New England in 1620. Here it found congenial soil and skillful culture, and branched forth westward over a large territory, producing a growth of astonishing vigor on the 4th of July, 1776.

What Albany City and County had to do in the struggle that led to its establishment, we propose to set forth as fully as the scattered facts, dug out of the *debris* of one hundred years, and our limited time and space, will admit.

We regret that we have no record of the services rendered on the field of battle by individuals who were always ready "to do or die" for sweet liberty—men who occupied subordinate military offices or worked in the ranks—untitled men of strong convictions and brave hearts, who fought, not for fame, but for home and country, and now fill unlettered graves. Our questions in regard to their names and deeds have found no answer.

Much that transpired in the great struggle with England for American nationality is already lost in the graves of the actors in that drama.

We do not find that much field service was done by Albany County in that war. At first there was much apathy among the citizens generally. They were not men of war; they loved peace and productive industry. King George was far away and had done them no harm that they could see. The wrongs complained of in Boston, New York, and elsewhere, by men of trade and public men, they might have heard of, but they had not seen nor felt them. Who can wonder that such men were slow to leave their farms, and shops, and stores for strife and carnage; that some were not apathetic only, but decidedly opposed to a war that meant revolution? They preferred to endure the ills they knew than to fly to those they knew not of. Hence there were many Tories in Albany County. And, while the most brave and intelligent watched events, and pondered and feared, most put off the evil day, hoping that the unpleasantness with Old Mother England would be settled without blood.

Yes, Albany was slow to respond to the feelings so strongly manifested in the cities of the Atlantic coasts, in Philadelphia, and in Virginia.

But most of the men of mind and property in the city—the Schuylers, the Van Rensselaers, Gansevoort, Van Schaick, Nicolls, Douw, Ten Broeck, and others—were fully alive to the situation, full of the spirit of patriotism, ready for any sacrifice for the rights of the people. They were always on the side of wise counsel, and when the hour of action came, they were prepared.

There was no newspaper in Albany until 1771, and the publisher of that was a Tory. No telegraph then; no stage; no medium of rapid communication. News moved slowly; the common mind moved slowly. But, when the news of bloodshed on the plains of Lexington, April 19, 1775, was heard, all saw that war was inevitable. Patriot blood was stirred, and city and county began to get ready. Military companies were formed, and the bustle and confusion of getting ready for the worst was heard all around.

Albany, as important as it was, was a small village then. But it had long been a town of grim forts and warlike movements. It was used to soldiers and officers; to camps and marches. Its situation and its accidents had made it always a military center to which men came and from which men went with all the pomp and circumstance of dire war.

So it continued to be during the War of the Revolution. Here was Fort Frederick, with its garrisons and guns; here were officers' quarters, barracks, hospitals, and commissaries stores. Soldiers were billeted here. Here were fears and watchings. There were enemies at home and abroad. Here were prisons for bold traitors and gallows to hang them on. Of course there was much to be done to duly provide, keep, and distribute "the sinews of war." Here was much to be done by a strong "home guard," protecting the city and holding it as a place of safety and supply; a place not for the protection alone of citizens and their wives and children, but for the restraint of the rebellious Tory; for the hungry and ragged soldier in tent and field; for the sick and wounded in the hospital.

Such duties as these all important ones, necessarily occupied the patriotic inhabitants of Albany City and County, and made them less frequent in the march and bloody contest. They were not found, so far as we can learn, at Bennington, White Plains, Monmouth, Trenton, nor in any of the battles of the South. Nor was much fighting done by them after the surrender of Burgoyne.

They went, probably, where Schuyler, Gansevoort and Van Schaick, and Ten Broeck and the Van Rensselaers went, or directed to go, to St.

Johns, Chambly, Montreal, and Quebec; to Crown Point and Ticonderoga; to Fort Ann and Fort Stanwix; to Stone Arabia and Saratoga.

Who some of them were who were enrolled ready for any duty, is told in the military rosters as we find them in the archives of the State, in the records of the Committee of Safety, and in certain local histories.

The City Records, and the Records of the Committee of Safety, from which we have made liberal extracts, show better than anything else the state of matters in this County and City.

Albany was always fortified, and fortified and

garrisoned according to the needs of the place and the times. Its government was usually administered by prudent officers, supported by a discreet, peace-loving class of citizens. It kept friendship with the Indians. No battle was ever fought in the present Albany County; no invasion ever reached the city; no besiegers ever attacked its defenses. It had rumors of war, but no war. It always had fears of the savage, but fear was all. Its people were always forewarned and forearmed. The French of Canada, full of jealousy, often planned invasion of Albany, but never carried out their plans.



OLD ENGLISH CHURCH AND FORT FREDERICK.

An important convention of colonial delegates met at Albany June 19, 1754. It has often been referred to as having connection with the opening movements of the American Revolution. If this be so, it was quite remote. It was invited by Lord Holderness, English Secretary of State. Seven of the thirteen colonies were represented by twenty-six members. The New York Delegates were James Delancy, Joseph Murray, William Johnson, John Chambers, William Smith. Most of these were adherents of the English Crown, and remained so all their lives. The delegates were chosen by the colonial assemblies, and had for their leading object the formation of a closer political union for the purpose of better security against the encroachments of the French on the north, and for keeping the friendship of the Indians, the Six Nations especially, who seemed getting too much under the influence of the Jesuits and other French emissaries. The sachems of the Indians were particularly invited to meet this convention, and they were present in full numbers. Speeches were made on both sides, and much diplomacy was used. The sessions were held for twelve days. The meetings were in the old City Hall.

Benjamin Franklin was present from Pennsylvania, having a plan which he introduced for discussion, that looked to a permanent union for mutual counsel and defense in all matters of common interest. "Debate upon this and other plans proposed was taken up, hand in hand with the Indian business, daily." A plan, very much like that of Franklin, proposed a grand council of forty-eight members,

to have, under limitations, the appointment of all civil and military officers, the general management of civil and military matters, and the entire control of Indian affairs. When the plan was submitted, as Franklin himself tells us, "the assemblies did not adopt it, as they all thought there was too much *prerogative* in it; and in Eng<sup>d</sup> it was judged to have too much of the *democratic*." But the convention, no doubt, succeeded in its main purpose—that of keeping the Iroquois on friendly terms—after the usual presents, promises and flattery; and "the plan," which was not the main purpose, led the colonists to a better understanding of each other, and helped prepare them for more united action when the time came. This was largely due to the far-seeing sagacity and vigilant patriotism of Franklin.

Lieutenant-Governor Colden writes to the Earl of Hillsborough, under date of New York, February 21, 1770—"My Lord: It is my duty to inform you that a violent party continue their assiduous endeavors to disturb the Government, by working hard on the passions of the populace, and exciting riots, who in every attempt have hitherto been unsuccessful. \* \* \* The persons who appear on these occasions are of inferior rank, but it is not doubted they are directed by some persons of distinction. They consist chiefly of Dissenters, who are very numerous, especially in the country. \* \* \* The most active among them are Independents from New England, or educated there, and of Republican principles. The friends of the

administration are the Church of England, the Lutherans, and the old Dutch, with several Presbyterians." After this, he speaks of the confinement of Alexander McDougal in jail for writing a seditious political article, expressing the opinion that "he highly deserves punishment." McDougal was one of the "Sons of Liberty," and afterwards Colonel of the 1st New York Regiment in the Revolution and a Major-General in the service. He was a member of the Provincial Congress, and afterwards of the State Senate. He was a brave and trusted soldier and a valuable citizen. We note this to show what kind of men belonged to the early patriot party and the estimation in which they were held.

Albany was the center of supplies for the Northern Army. It would not do to leave the Northern Department uncared for by troops. The savages and the Tories were plenty about the upper Hudson and the Mohawk. They only wanted an opportunity to invade the City of Albany; to burn and plunder its homes; carry away its military stores and murder its inhabitants. Its soldiery was needed at home to protect what remained.

Did the women apply their hands to the distaff, the spinning-wheel and the loom, so that the soldiers might be sure of comfortable clothing in the camp and field? Did the "click of the loom and the hum of the wheel" make music harmonious with that of the drum and fife? Were there spinning matches and quilting bees among the mothers and daughters of Albany County from 1774 to 1781? There were no factories then to clothe the army by contract. We believe that much of it was done by noble women—the wives and daughters of that time.

Were the clergy eloquent in the pulpit against British aggression, and earnest in appeal to the spirit of patriotic doctrine? Did they urge the people, by zealous activity, to resist the wrongs done to the rights of property and personal freedom, and, like Rev. Mr. Allen, of Pittsfield, take the musket and go forth to pray and fight for heaven and our rights? This Rev. Thomas Allen left his home and visited Kinderhook, Canaan, Claverack, and other towns in Eastern New York, speaking to the people and advising the strongest measures against those who favored the King. He writes home to the leading Whigs of his town, "As yet there are plenty of arms to be sold at Albany; but no powder is to be sold there for the present." Again, "The spirit of liberty runs high at Albany, as you have doubtless heard by their own post at our headquarters." "The New York Government begins to be alive in the glorious cause, and to act with great vigor." From these statements we infer that he visited Albany to quicken and stimulate its citizens to some activity. It is also said that the sainted Westerlo, of the Dutch Church, the most influential pastor in the city at that time, was bold and zealous for the patriot cause in the pulpit and among the people.

Tories were arrested and committed to gaol in Albany, until they "humbly confessed their faults,

asked forgiveness and promised reformation." Sometimes, after doing what harm they could to their Whig neighbors—hiding, meeting in secret conclaves, until discovered and threatened punishment—they ran away to Canada, Nova Scotia, or other safe place to await the end; which, to their mind, would be the discomfiture of the rebellious Whigs and the triumph of the loyal friends of King George III. A few of these returned and became good citizens. Others, self-banished, suffered confiscation of their estates. Some were banished; some were hanged. Everywhere the ban of society was upon them; and they were handled roughly when arrested.

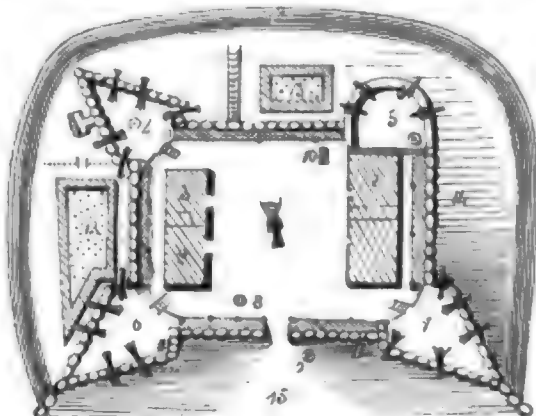
Tories were plenty in New York, not excepting Albany County. North Carolina and New York were, for a long time, regarded by the British ministry as loyal to the interests of the Crown, and distrusted by the patriots of New England and Virginia.

There were many Tories who were so from principle, and refused to take sides against the parent country from honest convictions of the wrongfulness of such a course. They looked upon the Whigs as rebels against their sovereign; condemned the war as unnatural; and regarded the final result as surely disastrous to those who had lifted up the arm of opposition. Their opinions were courteously, but firmly expressed; they took every opportunity to dissuade their friends and neighbors from participating in the rebellion; and by all their words and acts discouraged the insurgent movement. But they shouldered no musket, girded on no sword, piloted no secret expedition against the Republicans. They were passive, noble-minded men; and deserve our respect for their consistency, and our commiseration for their sufferings at the hands of those who made no distinction between the man of honest opinions and the marauder with no opinions.

There was another class of Tories governed by the footpad's axiom that "might makes right." They were Whigs when royal power was weak, and Tories when royal power was strong. Their god was mammon, and they offered up human sacrifices in abundance upon its altars. They became as relentless robbers and murderers of neighbors and friends as the savages of the wilderness.

For some time the Tories in the neighborhood of Albany were employed in capturing prominent citizens and carrying them off to Canada for the purpose of exchange. Such an attempt was made on General Gansevoort, and another on General Schuyler, under direction of the notorious John Waltmeyer, colleague of Joe Bettys. Among the men of this class was the notorious Thomas Lovelace, who, after he had run away to Canada, formed a company with five other persons and returned to abduct, plunder and betray his former neighbors in Saratoga, Schenectady and Albany Counties. His crimes were many. He robbed General Schuyler's house and attempted to carry off Colonel Van Vechten. He was captured, tried and hung by General John Stark, then in command of barracks near Fish Creek.

The story of taking old Fort Ticonderoga, the key to the gateway between the Colonies and the Canadas, May 8, 1775, is familiar to all. It was done under Colonel Ethan Allen, of Vermont, guided by the boy Nathan Beman, and aided by



Ground Plan of Old Fort.

Colonels Warner, of Vermont, Brown and Easton, of Berkshire. We have no evidence that Albany County had any men among the 150 who were engaged in this bold movement. The County had not then fully organized its military forces. Its mayor and many of the citizens were not then decided in their patriotism. The city had been called on for supplies, but not for men at this time. Connecticut had lately sent a delegation of two to Albany "to discover the temper of the people at that place." It was then in doubt.

On the 19th of June, 1775, George Washington received his commission as Commander-in-Chief of the Continental Army. Four Major-Generals: Artemas Ward, Charles Lee, Philip Schuyler and Israel Putnam, were chosen; and eight Brigadier-Generals: Seth Pomeroy, Richard Montgomery, David Wooster, William Heath, Joshua Spencer, John Thomas, John Sullivan and Nathaniel Greene. To these was added Horatio Gates as Adjutant-General with rank of Brigadier.

In June, 1775, Philip Schuyler, on recommendation of the patriots of this district, having been appointed as one of the four Major-Generals of the Continental Army, was assigned to the command of the Northern Department.

His first movement was towards Ticonderoga, which he reached July 18th, where he found a garrison of 1,000 Connecticut troops under Colonel Hinman, and a few Berkshire troops under Colonel Easton. These troops were composed chiefly of militia, raw and undisciplined, but full of patriotism, courage and intelligence. The invasion of Canada was under favorable consideration by all officers and men. It was urged that it was necessary to cut off the approaches of British troops by St. Lawrence and the Lakes, and prevent the sudden attacks of savages and Tories on the borders, from Canada. It was understood, also, that many Canadians were favorably disposed toward the cause of the American patriots.

It was further understood that General Carleton, commander of the British forces in Canada, was planning an attempt to get possession of the forts upon the lakes, with the ultimate purpose of invading the valleys of the Mohawk and Hudson, and dividing New England from New York and the States south and west.

Immediate movements were demanded to anticipate Carleton. Major Brown, who had been sent to learn the situation at St. John's, Chambly, Montreal and Quebec, and to try the minds of the people of Canada, leaving July 24th, returned August 10th, feeling sure that "Now is the time to carry Canada."

But serious delays occurred in securing troops and supplies. New York was filled with Tories who needed watching; Boston was besieged; Connecticut was threatened with invasion of its coasts; self-protection must be secured before undertaking expeditions to Canada. But General Schuyler was hopeful of success, and eager to advance. Major Brown was placed in command of the flotilla on Lake Champlain. General Montgomery was at Crown Point as Schuyler's lieutenant. On September 6th, General Schuyler, with his little army, was besieging St. John's. It was a long and tedious siege.

Here General Schuyler began to manifest that irresolution and timidity in meeting the difficulties of the military situation which, in spite of his undoubted personal bravery, so often fatally marred his Northern campaigns, and led many patriots to distrust, not only his capacity, but his fidelity. Deceived into a belief of the strength of the fort and of the dangers around him, General Schuyler fell back to Isle Aux-Noix, and awaited reinforcements. As soon as September 16th, he was compelled by ill health to return to Ticonderoga, and commit the movements of the army to Montgomery. The attempt upon St. John's was retarded, and success was hindered in many ways. Among them were the lack of ammunition and the almost mutinous discontent of the army. But successful movements upon Fort Chambly by Major Brown, to whom it was surrendered October 19th, imparted new vigor, and led to the surrender of St. John's, November 2d. After this Montreal capitulated to Montgomery, November 17th. Montgomery, with the beggarly remnant of his army of St. John's, was at Quebec December 1st. Here he was joined by Arnold with his New England troops, sent on from Cambridge by Washington. Here were Easton and Brown, from Berkshire; Wooster, from Massachusetts; Van Rensselaer, Livingston, and Lamb, from New York.

The disastrous assault on Quebec, made December 31, 1775, which resulted in the lamented death of Richard Montgomery and the end of the Canada invasion, needs no further detail here. Every bright schoolboy has read the sad story. Let Montgomery's name ever be revered. He was a pure patriot, ready to do or suffer anything for country. His courage was impetuous and forgetful of self; while that of Schuyler, just as true, had more of caution in it. In this expedition everything was

unfavorable to Montgomery except his own brave and generous soul.

It is true that Arnold kept up a useless siege during the winter of 1775-76, and that recruits were sent on to reinforce the American army, which still remained in Canada, in the hope of accomplishing the conquest of that territory in the coming spring and summer. But a leader was wanting; discipline was imperfect; and sickness was weakening the strength of men who suffered from lack of clothing, food, and other supplies.

Burgoyne came early in May with succor for Quebec, and succeeded Carleton in the command. The Americans were compelled to entirely evacuate Canada. The remnant arrived at Crown Point in June, "disgraced, defeated, discontented, dispirited, diseased, naked, undisciplined; eaten up with vermin; no clothes, beds, blankets; no medicine; no victuals but salt pork and flour." Thus writes John Adams, under date of July 7, 1776, concerning our Northern Army at Crown Point.

Thus resulted the first movement of the Army of the Northern Department under General Schuyler. His policy as commander had given great dissatisfaction to most of the officers and men in his command.

Horatio Gates, a new and less manly commander, supplanted Philip Schuyler in the Northern command for a brief time in 1776.

During the winter of 1776-77, many of the officers of the Continental Army, including General Gates, Colonel Morgan Lewis, Colonel Benedict Arnold, Colonel John Brown, had their winter quarters in Albany. It was during this winter that Colonel Brown wrote of Arnold: "Money is this man's God; and, to get enough of it, he would sacrifice his country." Three years after, John Brown fell, fighting for his country; while Arnold was a branded traitor and a fugitive in the British army.

The year 1777 was marked by events that demanded unusual exertions and sacrifices from the people of Albany County. The summer was one of intense anxiety. An army of disciplined and veteran British troops was on the march to Albany with hostile intent. To the peace-loving population of the city, their progress spread the wildest terror; to the loyal Tories ecstasies of hope and bold impudence; to the patriotic friends of liberty, anxiety and dread. From mid-spring to late autumn all was excitement, alarm, and activity. The city was threatened with all the horrors of savage butchery and the invasion of an unscrupulous soldiery. John Burgoyne, with loud-mouthed threats to the enemies of Great Britain, and promises of protection and favor to the weak and doubting, was on his way from Canada with his 12,000 men, made up of bloody Indians, mercenary Hessians, and war-trained Scotchmen and Englishmen. He considered his march sure to end in triumph. His aim was to cut off New England with all its supplies of men and means, from the south, and thus make the divided and weakened armies a sure prey to the British Crown,

In Albany he expected to meet Clinton moving up the Hudson from New York, and St. Leger with his victorious forces from Oswego and Fort Stanwix, coming down the Mohawk. With ambitious and able commanders and splendid soldiery and appointments, with well laid plans, the result seemed certain.

Early in July, old Fort Ticonderoga, garrisoned by St. Clair and his scarcely 3,000 men, most of them poorly provided for defense, was found to be untenable. It was found that Burgoyne's skilled engineers had it entirely at their mercy, and it was consequently hastily evacuated.

Although Colonel John Trumbull had, in 1776, with characteristic sagacity, explained to Generals Gates and Schuyler the weak points in the defense of that fort, nothing was done. Schuyler and St. Clair had expressed themselves confident that the post was secure from any attack which Burgoyne could bring to bear upon it. They had accumulated stores, and rested in apparent security. But the commanding battery upon Mount Defiance made retreat the only alternative. Scarcity of ammunition and danger of reinforcement did not chiefly decide the question of retreat. Nor did want of courage. It was forced discretion. One division of the retreating army, under Colonel Long, was overtaken at the head of Lake George, now Whitehall, and after suffering loss of artillery and stores, pushed on to Fort Ann, where, turning upon its pursuers, a gallant stand was made near that fort. The importance of the battle fought here under General Schuyler, with 500 men from Rensselaer Manor, has never been duly estimated in history. Many Albany men were killed and wounded here, and a decided check was put upon the advance of the British army, much to the advancement of the patriot cause.

St. Clair's division, after severe fighting and heavy losses, made its way through woods and swamps, and over streams to Fort Edward, where Schuyler had fixed his headquarters. Here he was met by Colonel Long and his division.

The loss of Ticonderoga, the traditional stronghold to which they and their fathers had looked for protection, naturally filled the patriots of New York and Massachusetts with the most serious apprehension. There was consternation everywhere. The way was considered open to Burgoyne for easy attainment of all his aims. Nothing but desolation and death stared the people in the towns and villages along the Hudson in the face. Unjust charges of cowardice were laid at the door of St. Clair; and treachery, incompetence, or inefficiency in Schuyler were outspoken by many, especially by the New England troops.

The evacuation of Fort Ticonderoga filled General Schuyler with discouragement. On the 26th of July he dismissed half the Militia of New England and of Albany County. A month later he sent away the greater part of the remainder. This he did while the enemy were marching toward Albany, and he never had greater need, not only of keeping the men he had, but of increasing their number. His excuse for this singular course was, first, that

he dismissed a part lest he might lose the whole; and, then, having sent away about one half, he might as well send home the other half. He alleged that his militia, men of Berkshire and Albany Counties, were very impatient to get home to their farms. Bancroft tells us that Schuyler was importuning Washington to send him Southern soldiers, alleging that one of them was worth two from the Eastern States. It is well known that the Militia of Albany and Berkshire held the Commander of the Northern Department at this time in great distrust; and they well knew the slight regard in which they were held by him. The state of feeling between General Schuyler and his troops was very unfortunate at this time. Rude and uncultivated as many of these men were, they had brave and honest hearts, which they proved soon on the fields of Bennington and Saratoga under leaders that knew them.

No battle of the Revolution took a more powerful and permanent hold upon the hearts of the people of that day than that of Bennington on the 16th of August, 1777. Its results were disappointing to Burgoyne. Almost unopposed had been his march upon Albany until that day. His army was one of terror to the friends of liberty. They could see nothing but the union of Clinton, coming up the Hudson, with Burgoyne coming down to Albany, thus making a complete armed barrier, dividing the East from the South and West. The course of the proud army was stayed by the arms of a militia, gathered from the hills of New England for the occasion. Their boasting was changed to doubt and fear by the event. There were no soldiers from New York in this fight. Many were men who had once been led by Ethan Allen, of the Green Mountains. They were led by John Stark, a born soldier, of determined independence and energy, who refused to be trammelled by Schuyler or the Continental Congress.

This should be said in regard to the attitude of the New York and New England Indians during the Revolution:

The Mohawks were always at war with the Mohicans, on the east bank of the Hudson, who bore their yoke with uneasiness and frequent outbreaks. These New England Indians had no friendly feelings toward the Dutch, whom they looked upon as allies of their Iroquois enemies.

Forced, as these Eastern red men were, by the trading Dutch and the jealous Mohawks, back over the western slopes of the Hudson into the valleys of the Housatonic and the Connecticut, they seldom met during the colonial period after the first years. When they did, there was only a renewal of contention and bloodshed, the result of which always asserted the superior power of the Western savages.

All efforts to bring together the Iroquois under the influence of the Christian religion or civilization were only partially successful, except with the Oneidas and Tuscaroras, of whom the Stockbridge Indians came to speak of as brothers. Both had been taught Christianity and freedom by New England Puritan missionaries.

They united in the War of the Revolution in the cause of the colonists against the Crown, and thus again met in battle their ancient foes, the Mohawks, who, under the influence and lead of the Johnsons and Butlers, did deeds of indescribable cruelty in every northern battle where they had opportunity; and, in conjunction with the Tories, carried the firebrand, the tomahawk, and the scalping-knife to many a peaceful home and village along the Mohawk, the Schoharie, and the Susquehanna.

All the efforts of General Schuyler and other delegates from Albany, in conferences with the Six Nations in 1774, when they pledged neutrality, and at Guy Park in May, 1775, were overborne by the money and promises of the British crown and the artful intrigues of Guy and John Johnson, with the alliance of Joseph Brant and the Tory Butlers.

The worst cruelties inflicted by these savage Indians, and worse than savage whites, fell upon the peaceful homes of Old Tryon County. Albany County was so well defended that it was left alone by them. The only exception happened in the town of Berne, of which a good account is given in the history of that place.

PETER GANSEVOORT was born in Albany, July 17, 1749. He was among the troops which accompanied Schuyler, in 1775, in his movement toward Canada, and accompanied Montgomery, with the rank of Major, in his unfortunate assault upon Quebec in December of that year. The next year he was appointed a Colonel in the New York line, and took command of Fort Schuyler, previously called Fort Stanwix, situated where is now the City of Rome, in the spring of 1777. For his gallant defense of this post against St. Leger, in his attempted march from Oswego down the Mohawk, to meet Burgoyne at Albany, he received the thanks of Congress.

In 1781 he was promoted to the rank of Brigadier-General by the State of New York. He was, for many years after the war, military agent, and held other offices of trust. He was held in high esteem as a soldier for bravery and good judgment, and as a citizen, for intelligence and uprightness. He died at the age of 62 years, July 3, 1812.

When Colonel Gansevoort took command of Fort Schuyler, in early summer of 1777, the fort was unfinished and feebly garrisoned. The patriotic citizens of Mohawk valley were paralyzed with fear. They saw nothing but defeat and ruin should the disciplined army of St. Leger fall upon Fort Schuyler. They knew no way of successful resistance should he attempt to march down the valley to Albany. Many timid and wavering ones became Loyalists, or, at best, weak and passive patriots. But Colonel Gansevoort was vigilant and hopeful, appealing for aid to General Schuyler and the Provincial Congress, and putting forth every possible effort to be ready for the enemy. On the 1st of August, St. Leger, with his Tory rangers and his bloodthirsty Indians under Brant, were ready to invest the fort with a force 1,700 strong. Gansevoort had only 750 men, among whom were the brave and sagacious Colonel Marinus Willett and his regiment.

A few other recruits, and ammunition and provision for a siege of six weeks soon came. The siege began August 4th. The British commander sent a pompous manifesto into the fort, and a dispatch to Burgoyne assuring him that he expected they would soon meet at Albany as victors.

We are not called upon to detail the carnage of Oriskany, August 6th, where the brave Nicholas Herkimer and his 800 Mohawk Valley men fell into an ambuscade of Tories and savages, while on their march to relieve General Gansevoort. Herkimer, badly wounded, did his duty with wonderful endurance and coolness until the battle was over, and then was borne to his home to die with the unskilled surgeon's knife, as many a noble soldier has done before and since; nor need we dwell upon the sortie of Colonel Willett, in which this man of daring courage suddenly and furiously attacked the enemy, put them to rout, made an end to this bloody struggle at Oriskany, and brought his force back to the fort without loss of a man; nor need we repeat the particulars of the reinforcement sent by Schuyler from Stillwater, under Arnold, and the stratagem that frightened St. Leger's Indians, leading him to raise the siege before Fort Schuyler on the 23d of August, and make a hasty flight toward Wood Creek to join Burgoyne.

The courage of Gansevoort held out during this siege of twenty days, although it looked like ultimate surrender because ammunition and food had nearly given out, and many of his men advised surrender. Herkimer, Willett, and Arnold deserve all praise for the part they acted in preventing St. Leger from carrying out the plan of meeting Burgoyne at Albany. We have reason to believe that there were Albany County men with Gansevoort and with Arnold; but we have not found their names.

After the departure of St. Leger, General Gansevoort and his regiment had charge of repairing Fort Plain and erecting the block house near it, where they were stationed for some time to take charge of the large quantity of stores destined for Fort Stanwix; to watch the movements of the Indian and Tories; and to be ready to render services in case of any attacks made by them in the vicinity.

The report of the designs of Burgoyne and St. Leger, seemed at first to paralyze, not arouse, the Whigs of Mohawk Valley. They began to regard the patriot cause as almost hopeless. They hesitated whether to prepare for defense against disciplined British soldiers or to supinely await the course of events. The event awakened new confidence and effort.

The story of Saratoga and the taking of Burgoyne is too familiar to require repetition here. Indeed, our space is too limited to give it in satisfactory detail. It is well known that the patriotic Philip Schuyler was superseded a few days before the battle by Horatio Gates, an experienced, trained military officer of English birth; good at making plans; inferior to Schuyler as a man; selfish, and ambitious; not remarkable for any deeds of patriotism or of daring bravery, either at this time or any other.

Schuyler was cautious, and in such an emergency as that in which he was placed by the advance of Burgoyne and his proud army, and his own ill-appointed and uneasy troops, he might well be so. But Schuyler was not the man for the occasion. He was not a man for his soldiers. He was too dilatory; he did not understand his men, nor did they understand him. His conduct, after he was superseded, was worthy of all praise. No doubt he felt the seeming degradation, but at no point could he be accused of neglecting his duty as a patriotic citizen. His wise counsels and his means were at the command of his country. No doubt some of his movements in falling back before Burgoyne's march seemed then cowardly. It is doubtful if his final stand, taken near the forks of the Mohawk, where he entrenched himself and his small army as well as he could, on Van Schaick and Haver Islands, was well taken. The people of his own county began to fear that he was not equal to the emergency, and the feelings of the New England troops was very bitter against him. It was difficult to enlist men to fight under him. These facts, not forgetting his really worthy character as a man and as a patriot, seemed to justify the course pursued by Congress in superseding him. After this was done, a new spirit seemed to pervade the Northern Department, and all possible efforts were cheerfully made to prevent the advance of Burgoyne.

The magnanimity of Schuyler was shown after the battle, by his treatment of Burgoyne and his suite at his own house in Albany; his gallant treatment of the amiable Madame Riedesel; and his humane aid in behalf of the sick and wounded soldiers. More than a thousand of them were taken to the hospital and even into the houses of Albany, including friends and foes, and there had the best of care.

We feel justified in this connection, in making an extract from Smith's "History of Pittsfield," as giving a fair estimate of the character of General Schuyler in connection with the cause that led to his being superseded by Gates. It also aids much in understanding the state of feeling at that period:

"The calamitous termination of the invasion of Canada brought to its culmination the opposition to Schuyler, which, in King's District, the County of Berkshire, and in the New Hampshire Grants, had been growing ever since his appointment to the Northern command.

"An unblemished patriot, a gallant soldier, and no mean statesman, Schuyler was yet distinguished by qualities, both positive and negative, which rendered him, if qualified for any departmental command, remarkably ill-adapted to that which was assigned him, between a majority of whose people and himself there existed an incompatibility which resulted in an antagonism fatal to the public interest. An aristocrat of aristocrats, he hated the robust democracy of Massachusetts, and the still ruder independence of the settlers upon the Grants. A New Yorker of New Yorkers, jealous of the rights of his Province, he participated

to the full in the feeling excited by the alleged encroachments of the New Englanders upon her eastern borders, and was prepared to resist, at any cost, the new invasion of her territory, under pretense of patents from New Hampshire. Intimate, socially and personally, with many of the higher class of Loyalists in King's District, he could not be made to believe them guilty of the secret plots against their country and the violation of their solemn pledges, of which they were popularly accused. Annoyed by the evil deeds of the Tories, he was opposed to them; but he was indignant at the harsh treatment with which the Sons of Liberty treated his friends, the Van Schaicks, and others of suspected Toryism, and was not in favor of a certain class of Whigs. This led to ill-blood and bitter opposition to his promotion.

"Coming to his command with a nervous horror of partisan warfare, he attributed that character to the proud-spirited and ambitious militia of the hills, who, used to hardy and independent enterprise, were not easily controlled, but kept him in perpetual terror of some rash adventure, while they failed him in executing his best-laid schemes of falling back for an indefinitely postponed advance. And he refused to renounce his prejudices against them, even when he found that they alone won victories in his department, and, having won them, showed a regard for the amenities of honorable warfare, and observed its laws with a scrupulous nicety which put to shame the regulars whom they encountered. He failed to perceive a courtesy which was not expressed in courtly phrase, or to recognize chivalry except in those of gentle blood—as gentility went in provincial America. As a soldier, his courage was proved; as a general, few in the American armies could better set a squadron in the field, or were more familiar with the rules of their art. As a commander of a department, none labored more arduously, or gave themselves with more untiring zeal and industry to the unthankful task of providing material of war; none did so more unselfishly, as was grandly shown in his ceaseless exertions to supply the northern army when forbidden to hope for any large share in the glory of its anticipated achievements. But he was destitute of that great element in generalship which, given a certain soldiery with which to accomplish a specific end, takes them as it finds them, with all their faults and with all their excellences, wins their confidence, and makes the most of what is in them. Schuyler, on the contrary, fretfully magnified the imperfections of the men committed to him, and was perversely blind to their good qualities as soldiers. Assigned to a position surrounded by innumerable difficulties, he possessed nothing of the spirit which delights to encounter obstacles; the energy which turns them to its own account; and, least of all, that calm strength which endures without complaint what cannot be avoided or changed."

Much of that which was to be regretted in him was the result of the depressing influence of ill-health; and, reviewing his career, we cannot fail to recognize the true patriot and statesman, and the

general, whose abilities would have given him perhaps, brilliant success in almost any other field than that in which he was placed.

The radical Whigs, who controlled the politics of his department, were hardly to be expected so clearly to perceive his merits. Between the revolutionary committees of that region and such a man as we have described, conflict was inevitable. Of political and social sentiments, the very reverse of those which characterized Schuyler, the committees were also extremely unlike him in temperament and habits of thought. Impetuous, sometimes even to rashness, in their zeal, they and their followers were ever ready to rally in sudden emergency, or for the execution of dashing enterprises; but, if the opportunity to meet the enemy was not speedily accorded them, they grew impatient of the necessary restraint of military discipline. In their theory of the art of war, retreat was omitted from the list of contingencies. As a general, Fabius was by no means a model in their esteem. Judging the readiness of all men to make sacrifices for their country by their own, they underrated the impediments which Schuyler found in raising armies and accumulating stores. Intolerant of the lukewarmness of moderate Whigs, as well as of the misdeeds of the Loyalists, they denounced the former in no measured terms, while they advocated and practiced the most rigid discipline of the latter. Many of them, of narrow experience in affairs, and wanting that liberality towards opponents which contact with the great world brings, they could not explain the perhaps over-generous sentiments of Schuyler towards some of those whom they classed indiscriminately as the enemies of American liberty, except upon the hypothesis of his sympathy with their Toryism.

When, therefore, information came to Berkshire and King's district of the sad aspect which affairs wore in Canada and finally, that all which had been gained there at such great cost was wrested from the Americans—smarting under the disappointment of hopes which with them had been more sanguine than elsewhere, the people of those districts were ready to charge the commander who, although not long personally in the field, had from the first been nominally at the head of operations, with the responsibility for their miserable failure. Among its prime causes, they ranked the brief delay before St. John's, to which he had been persuaded by the report of a treacherous informer to the neglect of the truthful representations of John Brown and James Livingston. Other missteps of the expedition were attributed to him, oftenest unjustly, through the malignancy of his enemies, who played upon the popular feeling through unscrupulous emissaries, who found powerful auxiliaries in Schuyler's unfortunate peculiarities.

The disaster to St. Leger, and the unexpected check made by the brave Stark at Bennington, fell like an incubus on Burgoyne's army. Indians deserted and Loyalists were less confident.

We need not tell what was done by Gates. What he did was well done, as events proved. But it has well been said that the blunders of Burgoyne

were quite as helpful to the patriot cause as was the skill of Gates. Around him came Lincoln, Poor, Scammell, Woolcott, Cilley, Putnam, Dearborn, Brooks, Glenn, Nixon, Whipple, Warner, Hull, Fellows, Hale, Bailey, and other brave commanders, with their full brigades from New England, full of the patriotic fire long kept alive among those sons of the Puritans. They were men who "trusted in God and kept their powder dry." Indeed Gates himself says: "My New England troops did the fighting at Saratoga." But we must not fail to do justice to the daring Arnold, who was one of the bravest men, and did some of the most effective fighting in the battle. Nor do we forget the brave Morgan, of Virginia, with his unerring marksmen. The bravest men of Albany County, too, were there under Abraham Ten Broeck. Soldiers from the lower Hudson were there under Henry and James Livingston, members of a family that was always on the side of freedom, learning and public progress. Van Courtland was there too, with his brigade, and Morgan Lewis was also there. It would take a volume to tell all that was done, and give appropriate praise to all who did it.

When all was over, and the army of Burgoyne had left the country, Albany County was safe. Its soldiers were in no more important battles. The war was carried to the south. Albany was kept on the home guard.

After the surrender of Burgoyne, so far as we have learned, the troops from Albany County generally retired to their homes.

The fighting was done in the more southerly departments—in New Jersey, Pennsylvania, and States further south. The painful marches and the pestilential encampments were made there mostly. The troops in the service were from New England and the Atlantic States south of New York.

This, well called one of the decisive battles of history, was fought in our territory, almost at the gates of our city, and aided by the services and resources of the brave men that once made their homes in our own county.

Following this there was much fear from the lurking Indians and Tories; there was much watching and guarding, and not a little skirmishing.

The council held at Johnstown on the 9th of March, 1778, to try once more to secure the neutrality, if not the co-operation of all the Six Nations, was represented on behalf of Congress by Volkert P. Douw, and, perhaps, General Philip Schuyler. But it resulted in no change of policy. Only the Oneidas and Tuscaroras pledged abiding friendship.

Early in the spring of 1779, upon the urgent entreaty of General Schuyler made to Congress, and under the direction of General James Clinton, an expedition was undertaken against the Onondaga Indians, under command of Colonel Van Schaick, with 558 strong men selected from his own regiment and that of General Gansevoort. Its object was to punish that bloodthirsty tribe,

and deter its warriors from future cruelties. The expedition lasted six days, and returned to Fort Stanwix without the loss of a man. The little army had scattered the tribe, destroyed three of its villages, horses and cattle, a large quantity of provisions, killed twelve Indians and taken thirty-three prisoners. This punishment was deserved, but of doubtful policy. It led to the destruction of Cobleskill, attacks upon Canajoharie, Stone Arabia, and other places soon after; and finally compelled the fearful and effective chastisement under General John Sullivan, of all the savage tribes in Western New York.

In the spring of 1780, Colonel Van Schaick, in command of 800 militia, was sent from Albany by Governor Clinton to pursue Sir John Johnson, who was making destructive inroads upon the small settlements along the Mohawk Valley. Sir John left his pursuers behind and escaped to Canada. Colonel Van Schaick was a valiant officer, and did good service in a military and civil capacity. A portrait and memorial of his life, prepared by Miss Jane Van Schaick, of Albany, appears in this history.

In the latter part of 1784, while our troops had little to do but to watch and wait, certain regiments of General Gansevoort's brigade were stationed between the Battenkill and the Hoosick, waiting further orders. This was near the New Hampshire Grants, in which dwelt some of the boldest men in the States, and particularly ready to resist any aggressions from the State of New York, which claimed jurisdiction over these Grants. Since there were no British troops to fight, the old animosities broke out, and the Green Mountain Boys who had fought at Bennington and Saratoga, were declared in a state of insurrection. This broke out in the regiments of Colonels John and Henry K. Van Rensselaer and Peter Yates. Indeed, the militia in this vicinity seemed generally to take sides with the people of the Grants, with whom they became in sympathy in the alliance of the battle-field and the camp. General Gansevoort, on the 5th of December, ordered Colonels Yates, Van Vechten and Van Rensselaer to march to St. Coych and quell the insurrection. Governor Clinton directed General Robert Van Rensselaer's brigade to assist General Gansevoort with all necessary troops. General Stark, stationed at Saratoga, being solicited, refused to interfere unless ordered by General Heath, his superior officer. The sympathies of the New Englanders were with the brave Vermonters. Gansevoort, with what volunteers he could raise, advanced to St. Coych, where he found a force of 500 men ready to support the insurgent militia. Having only 80 men, General Gansevoort retired five miles, and attempted, by writing to the leaders, to induce them to lay down their arms, but in vain. The so-called rebels were left undisturbed. After this, a conciliatory letter from General Washington to Governor Chittenden, had the effect to put an end to disturbances that were made in defense of what were considered honest rights. Ten years after this Vermont became all its citizens asked—an independent State. The controversy was an old

and bitter one; and, from its vicinity to the New Hampshire Grants, Albany County had much to do with it.

#### THE VAN SCHAICK FAMILY.

The family of Van Schaick is one of the earliest of the many prominent early families of Albany. Colonel Gozen Van Schaick was born in January, 1737, and died July 4, 1789. His wife was Mary Ten Broeck, of the celebrated New York family of that name. He served with great distinction in the colonial army during the revolutionary struggle, having previously had military experience in the service of the Crown under General Amherst. He was in command of the American forces in Albany, then a military point of great importance, and was the leader of the memorable expedition against the Onondagas in 1779, for the successful conduct of which he received the thanks of Congress. In this connection, Washington, writing to Clinton, expressed himself as follows:

"The enterprise commanded by Colo. Van Schaick merits my approbation and thanks, and does great honor to him and all the Officers & men engaged in it. The issue is very interesting.—I have written him a line upon the occasion."

The following flattering testimonial to Colonel Van Schaick from General Schuyler, sums up the Colonel's soldierly character most completely:

"ALBANY, June 15th, 1782.

"SIR,—I lament the occasion which renders it incumbent on me to afford you a testimonial of the sense I entertain of your conduct. I sincerely wish I could communicate it in words equal to my feelings, and to my experience of the propriety of it during a series of years.

"The early decisive and active part which you took in the favor of your country in the present contest, justly entitles you to the attention of its Friends. We are not less indebted to your exertions as an Officer. Your service, whilst I had the honor of commanding the military in this Department, were such as attracted my notice; your close attention to the discipline of your Regiment afforded a beneficial example to officers less experienced in the duties of their offices. The alacrity with which you executed every order; The propriety of your conduct when left to act Independently, and judge for your self; The prudence which you exhibited on occasions when the line of conduct to be held was delicate and important, evinced a clearness of judgment, and a mind capable of resource, and created a confidence of which I never had occasion to Repent. Upon the whole, Sir, I esteem you a valuable Officer and a faithful servant of the Public, and should have been rejoiced to have learnt your merit rewarded in a promotion to that military Rank which you claim as your due.

"Delicacy would have prevented my saying thus much in a Letter to you, but to have said less, when I intend you should exhibit this to any person or persons whom you conceive may wish to be

advised of the opinion I entertain of you as an Officer and a citizen, would have been injurious to truth.

"Wishing you a speedy and an Honorable extrication from the embarrassments which distress you,

"I am, Sir,

"Very sincerely,

"Your obedient

"Humble servant,

"P. SCHUYLER."

Colonel Van Schaick was afterwards a general in the regular service, and held that rank at the time of his death. He left a quantity of papers and letters, private and official, a large portion of which were lost or destroyed after his death by accident, as is supposed. Those that were fortunately preserved, consisted of letters from the Clintons, a large number of autographs from General Washington, of the most confidential and flattering character, showing that he held him in high estimation as a man of sound judgment as well as a gallant soldier, and others from officers under whom he served when in the provincial service, such as Sir Jeffrey Amherst, which are a beautiful specimen of chirography, and to whom he owed his first commission in the British army. Among them is a characteristic letter from General Montgomery containing the most humane and generous sentiments, and quite a number of commissions with ponderous seals, with the autograph of George III, and communications from Generals Gates, Schuyler, Clinton and others. What remain of this once valuable collection are carefully preserved by his grandson, Henry Van Schaick, and other descendants.

General Van Schaick had five sons and a daughter. Some of the former were well known in business circles in Albany and New York, and all until their death, moved in the most distinguished society of the Empire State. One of these, Tobias Van Schaick, was born in Albany, December 9, 1779, and married Jane Staats, daughter of the old Albany merchant, Henry Staats, November 2, 1811. This lady was born May 16, 1783, and died April 23, 1823. She bore Mr. Van Schaick several children, all of whom died in infancy except the Misses Ann and Jane Van Schaick, the former of whom died June 22, 1861. Early in life Mr. Van Schaick was a merchant, and carried on an extensive trade at 447 and 449 Broadway, from which he retired while yet a comparatively young man to assume the care of the Van Schaick estate in Albany, which had been under the management of his mother for some time preceding her death. Following this retirement, he never afterward engaged in active business; but he took a deep interest in the growth and prosperity of Albany, and in the conduct of public affairs. Politically he was a Whig, but his tastes were such that he never permitted himself to become actively involved in politics. He attended and was a most liberal supporter of the North Reformed Dutch Church. He was a quiet, unostentatious man, going little abroad, and enjoying the comforts of his home.



Disliking all vain-glorious pomp and show, he lived simply for one of his means and position, always finding most pleasure at his own hearthstone and in the society of those he loved, though mingling socially with the most prominent families of Albany, and was always a welcome guest wherever he went.

He was a man who talked little, especially about himself, and because of that reserve much that might interest the readers of this work has been lost, for reminiscences of such a man, could they be procured, would be a valuable contribution to any history of Albany. He died April 21, 1868, aged 88 years 4 months and 11 days.

### THE MILITIA OF 1775-76.

Albany County, as it existed at the time of the Revolution, first organized Seventeen Regiments of Militia, under the law of 1775. We give the officers of such as belonged wholly, or in part, to the present Albany County. They were numbered and officered, as found in the Historical Records of the State, as follows:

#### FIRST REGIMENT, CITY OF ALBANY.

Jacob Lansing, Jr., Colonel; Dirck Ten Broeck, Lieutenant-Colonel; Henry Wendell, First Major; Abraham Cuyler, Second Major; Volckert A. Douw, Adjutant; Ephraim Van Veghten, Quartermaster.

*First Company.*—John Barclay, Captain; John Price, First Lieutenant; Abraham I. Yates, Second Lieutenant; John Scott, Ensign.

*Second Company.*—Thomas Barrett, Captain; Matthew Vischer, First Lieutenant; Abraham Eights, Second Lieutenant; John Hoagkirk, Ensign.

*Third Company.*—John Williams, Captain; Henry Staats, First Lieutenant; Barent Van Allen, Second Lieutenant; Henry Hogan, Ensign.

*Fourth Company.*—John M. Beekman, Captain; Isaac De Freest, First Lieutenant; Abraham Ten Eyck, Second Lieutenant; Teunis T. Van Veghten, Ensign.

*Fifth Company.*—Harmanus Wendell, Captain; William Hun, First Lieutenant; Jacob G. Lansing, Second Lieutenant; Cornelius Wendell, Ensign.

*Sixth Company.*—John N. Bleeker, Captain; John James Beekman, First Lieutenant; Casparus Pruyn, Second Lieutenant; Nicholas Marselis, Ensign.

#### THIRD REG'T, FIRST RENSSELAERWYCK BATTALION.

Abraham Ten Broeck, Colonel; Francis Nicoll, Lieutenant-Colonel; Henry Quackenbush, First Major; Barent Staats, Second Major; John P. Quackenbush, Adjutant; Christopher Lansing, Quartermaster.

*First Company.*—Henry Quackenbush, Captain; Jacob J. Lansing, First Lieutenant; Levinus Winne, Second Lieutenant; John Van Woert, Ensign.

*Second Company.*—Abraham D. Fonda, Captain; Henry Oothoudt, Jr., First Lieutenant; Levinus T. Lansing, Second Lieutenant; Jacob J. Lansing, Ensign.

*Third Company.*—Peter Schuyler, Captain; Abraham Witbeck, First Lieutenant; Henry Ostrom, Second Lieutenant; Peter S. Schuyler, Ensign.

*Fourth Company.*—Barent Staats, Captain; Dirck Becker, First Lieutenant; John Van Wie, Second Lieutenant; George Hogan, Ensign.

*Fifth Company.*—Gerrit G. Van der Bergh, Captain; Peter Van Wie, First Lieutenant; Wouter Becker, Second Lieutenant; Abraham Slingerland, Ensign.

#### THIRD REGIMENT—NEW ORGANIZATION.

*First Company.*—(See Third Company, First Organization.)

*Second Company.*—Abraham D. Fonda, Captain; Henry Oothoudt, Jr., First Lieutenant; Levinus T. Lansing, Second Lieutenant; Jacob J. Lansing, Ensign.

*Third Company* (at first 5th Company, 4th Regiment).—Jacob Ball, Captain; John Warner, First Lieutenant; Peter Dietz, Second Lieutenant; Joshua Shaw, Ensign.

*Fourth Company.*—Jacob J. Lansing, Captain; Levinus Winne, First Lieutenant; John Van Woert, Second Lieutenant; Peter Dox, Ensign.

*Fifth Company* (at first organized as 4th Company, 4th Regiment).—Jacob Van Aernam, Captain; John Groot, First Lieutenant; George Wagoner, Second Lieutenant; Frederick Crantz (Crounse?), Ensign.

*Sixth Company.*—Abraham Veeder, Captain; James Burnside, First Lieutenant; John Voorhuyse (Voorhees?), Second Lieutenant; Andries Ten Eyck, Ensign.

#### FOURTH REGIMENT.

*Second Rensselaerwyck Battalion.*—Killian Van Rensselaer, Colonel; John H. Beekman, Lieutenant-Colonel; Cornelius Van Buren, First Major; Jacob C. Schermerhorn, Second Major; Jacobus Van der Poel, Adjutant; John A. Lansing, Quartermaster.

*First Company* (1st Company, 5th Regiment, New Organization).—Conrad Ten Eyck, Captain; Peter Witbeck, First Lieutenant; Albert H. Van der Zee, Second Lieutenant; John L. Wilbeck, Ensign.

*Second Company* (2d Company, 5th Regiment, New Organization).—William P. Winne, Captain; John De Voe, First Lieutenant; Philip C. Look (Luke?), Second Lieutenant; Cornelius Van der Zee, Ensign.

*Third Company.*—Volckert Veeder, Captain; Abraham Veeder, First Lieutenant; Jacob La Grange, Second Lieutenant; Andrew Truax, Ensign.

*Fourth Company.* (See 5th Company, 3d Regiment, New Organization).—Jacob Van Aernam, Captain; John Groot, First Lieutenant; George

Wagoner, Second Lieutenant; Frederick Crantz (Crouse?), Ensign.

*Fifth Company.*—(See 3d Company, 3d Regiment.)

#### FOURTH REGIMENT.

(As Newly Organized, February, 1776.)

*First Company.*—Isaac Miller, Captain; Hendrick Schaus, First Lieutenant; Johannes Lodewick, Second Lieutenant; Johannes Miller, Ensign.

*Second Company.*—Ichabod Turner, Captain; Joel Pease, First Lieutenant; Jonathan Niles, Second Lieutenant; Joel Curtis, Ensign.

*Third Company.*—Luke Schermerhorn, Captain; James Magee, First Lieutenant; Reuben Knap, Second Lieutenant; Aaron Hammond, Ensign.

*Fourth Company.*—James Dennison, Captain; Stephen Niles, First Lieutenant; Obadiah Vaughan, Second Lieutenant; Oliver Bentley, Ensign.

*Fifth Company.*—Nicholas Staats, Captain; Obadiah Lansing, First Lieutenant; Philip Staats, Second Lieutenant; Leonard Wilcox, Ensign.

*Sixth Company.*—Jacobus Cole (Koole?) Captain; Anthony Bries (Brice?) First Lieutenant; Harpent Witbeck, Second Lieutenant; John Van Hagen, Jr., Ensign.

*Seventh Company.*—Abraham J. Van Valkenburgh, Captain; Daniel Schermerhorn, First Lieutenant; John J. Van Valkenburgh, Second Lieutenant; Martin Van Buren, Ensign.

#### FIFTH REGIMENT.

*Third Rensselaerwyck Battalion.*—Stephen Schuyler, Colonel; Gerrit G. Van der Bergh, Lieutenant; Peter P. Schuyler, First Major; Volckert Veeder, Second Major; Maas Van Vranken, Adjutant; Francis Marshall, Quartermaster.

*First Company.*—Cornelius Van Buren, Captain; Nicholas Staats, First Lieutenant; Obadiah Lansing, Second Lieutenant; Philip Staats, Ensign.

*Second Company.*—John H. Beeckman, Captain; Jacob C. Schermerhorn, First Lieutenant; Abraham I. Van Valkenburgh, Second Lieutenant; Jacobus Vanderpoel, Ensign.

*Third Company.*—Valckert Van Veghten, Captain; Gerrit T. Van den Bergh, First Lieutenant; John Amory, Second Lieutenant; Jacob Van Schaick, Ensign.

*Fourth Company.*—(See 1st Company, 4th Regiment.)

*Fifth Company.*—Philip De Freest, Captain; Ryneer Van Alstyne, First Lieutenant; Peter Sharp, Second Lieutenant; David De Forest, Ensign.

*Sixth Company* (1st Company of 6th Regiment, new organization).—John J. Fonda, Captain; John P. Fonda, First Lieutenant; George Berger, Second Lieutenant; George Sharp, Ensign.

#### SIXTH REGIMENT.

*Fourth Rensselaerwyck Battalion.*—Stephen J. Schuyler, Colonel; Henry K. Van Rensselaer,

Lieutenant-Colonel; Philip De Freest, First Major; John Fonda, Second Major; Volckert Oothoudt, Adjutant; Jacob Van Alstyne, Quartermaster.

*First Company.*—Henry H. Gardinier, Captain; Jacob Van der Heyden, First Lieutenant; Adam Beam, Second Lieutenant; Henry Tinker, Ensign.

*Second Company.*—Cornelius Lansing, Captain; Lodewyck Snider, First Lieutenant; Andries Stool, Second Lieutenant; Jacob Weiger, Ensign.

*Third Company.*—(See 3d Company, 4th Regiment.)

*Fourth Company.*—(See 2d Company this Regiment and 4th Regiment.)

*Fifth Company.*—Caleb Bentley, Captain; Samuel Shaw, First Lieutenant; David Hustes, Second Lieutenant; Thomas Crandall, Ensign.

*Sixth Company.*—(See 4th Company, 4th Regiment.)

#### SIXTH REGIMENT.—(New organization.)

*First Company.*—(See 6th Company, 5th Regiment.)

*Second Company.*—(See 1st Company, 6th Regiment; first organization.)

*Third Company.*—John Lautman, Captain; Peter Vosburgh, First Lieutenant; John Schurtz, Second Lieutenant; Conradt Best, Ensign.

*Fourth Company.*—(See 2d Company, first organization, 5th Regiment, and 1st Company in 6th Regiment, first organization.)

*Fifth Company.*—(See first organization in 6th Regiment.)

*Sixth Company.*—Jacob De Freest, Captain; Martinus Sharp, First Lieutenant; Andries Miller, Second Lieutenant; John Crannell, Ensign.

*Seventh Company.*—Florus Banker, Captain; Christopher Tillman, First Lieutenant; Abraham Ten Eyck, Second Lieutenant; Jonathan Sever, Ensign.

Among these officers were men who did valiant service in the War of the Revolution, and acquired promotion. A few left the patriot cause and preferred to remain subjects of Great Britain. We are sorry not to be able to give the names of many who did, no doubt, faithful service in the ranks. Concerning many such even tradition is dumb, though doubtless their services were appreciated and probably rewarded.

The distribution of the regiments as first formed, in 1775 and 1776, was as follows:

First, City of Albany; Second, Schenectady District; Third, Fourth, Fifth, Sixth, Rensselaerwyck; Second, Schenectady District; Seventh, Kinderhook District; Eighth and Ninth, Claverack; Tenth, Livingston Manor; Eleventh, Coxsackie and Groot Imtrocht; Twelfth, Half Moon and Ballston District; Thirteenth, Saratoga District; Fourteenth, Hoosic and Schaghticoke; Fifteenth and Sixteenth, Schoharie and Duanesburgh; Seventeenth, Kings District (now Columbia County).

## THE MAYOR AND COMMON COUNCIL.

At the beginning of the disturbances that led to the separation of the American colonies from Great Britain, the County and City of Albany were far from being in sympathy with the patriotic cause. The Mayor and a majority of the Common Council were loyal friends of the English crown.

The skirmishes at Lexington and Concord, the menaces against Massachusetts—particularly against Boston—and the arrival of British troops for the avowed purpose of crushing out the incipient rebellion, awakened and intensified the spirit of resistance even in colonies comparatively passive before. Most of the leading citizens of Albany soon took a decided stand with the patriots in the Atlantic cities. The course pursued will best be made to appear by extracts from their proceedings. We first give what was said and done by the City Government of Albany.

The position of the Mayor and Common Council in regard to the approaching struggle of the colonies with England, is seen in the following resolution, adopted July 18, 1772.

*"Resolved by this Board, That his Excellency, William Tryon, Governor General of the Province of New York, be presented with the freedom of this City in a golden box; also*

*"Resolved, That this Board do address his Excellency on his arrival to this City."*

Governor Tryon was one of the most aggressive enemies to the rights of the colonists, and had many friends in Albany at this time. It does not appear that his Excellency made the intended visit. Matters in the City of New York, at that time, between the patriotic colonists and his Excellency, were getting too warm to allow him to make this visit.

The election for Members of the Common Council, held in the city in September, 1773, was one of the most exciting that had ever taken place. The difficulties with the mother country entered largely into it, the patriots supporting one set of candidates, and the loyal subjects of Great Britain another.

Thomas Hun and John Ten Broeck, loyal candidates for Aldermen in the Third Ward, were elected; but their election was contested, on the ground that it was gained by illegal votes. After a long and bitter contest before the board, it was decided that they were legally elected, and they took their seats.

The rupture between England and her colonies was, at the opening of 1775, rapidly approaching a crisis. The last charter-election for the choice of Aldermen and Assistant Aldermen under colonial laws, took place September 29, 1775. The Aldermen chosen were as follows:

*First Ward.*—Aldermen: Peter W. Yates, Gerrit Van Sante. Assistants: Jacob Roseboom, Aries La Grange.

*Second Ward.*—Aldermen: Guysbert G. Marselis, John J. Beeckman. Assistants: Cornelius Van Schelluyne, Jeremiah Van Rensselaer.

*Third Ward.*—Aldermen: Thomas Hun, John Ten Broeck. Assistants: Abraham Schuyler, Abraham Ten Eyck.

Abraham C. Cuyler was still Mayor.

The last meeting of this board under the provincial government, the Mayor and all the members being present, took place at the City Hall in Albany on March 25, 1776.

After this meeting, the provincial government and the British laws were superseded for a time by the Continental Congress and the various State governments.

There was no meeting of the Common Council in the City of Albany from March 25, 1776, until April 17, 1778.

John Barclay was appointed Mayor by Governor George Clinton, September 27, 1777.

The Aldermen were John Roorbach, John Price, Jacob Lansing, Jr., Abraham Cuyler, John M. Beeckman, Harmanus Wendell. Assistant Aldermen: Abraham I. Yates, Matthew Visscher, Isaac D. Fonda, Jacob Bleecker, Cornelius Swits, Abraham Schuyler.

Matthew Visscher, Esq., was appointed Town Clerk, Clerk of the Mayor's Court of the City, and Clerk of the Inferior Court of Common Pleas for the City and County, and Clerk of the Peace and of the Court of Sessions of the Peace of the said City and County. Thomas Seger was appointed Marshal, and Henry Bleecker, Chamberlain.

The change from the Provincial to the State laws did not take place, however, without much difficulty; and much doubt concerning the Corporation of the City, to remove which, the State Legislature passed several acts.

On the 17th of February, 1778, the Legislature passed an Act to remove doubts concerning the Corporation of the City of Albany, as follows:

*Whereas, The inhabitants did not at the proper period, owing to the confusion the times occasioned by the Calamities of War, elect their aldermen in strict conformity with the charter, nor appoint their officers; and on account of the establishment of Independency, and the change of government in this State in consequence thereof, the members of the said corporation could not take the usual oaths, by reason whereof doubts might arise, as well to the prejudice of the estates, rights, etc., of the inhabitants, as concerning the validity of the election and the authority of the magistrates; for the removal whereof, and to the end that all and singular the said estates, etc., may remain as good, valid and unimpeached in the law as the same were, at, and immediately before the 19th day of April, 1775; and that the said magistrates and other members may exercise their several offices and functions without any legal or other let, hindrance or impediment whatsoever; the Charter and all the rights of the Corporation, which they held on the 19th day of April, 1775, were confirmed, notwithstanding non-user or misuser between the 19th of April, 1775, and the first of March, 1778; and all the magistrates and members of the Corporation were declared able to exercise their several offices, and to appoint such officers as ought to have been appointed on the anniversary day prescribed in the Charter, notwithstanding the want of conformity in the elections or appointments.*

By the Act of the Legislature of 1778, the Mayor and other officers were required to meet at the City Hall, or some other convenient place in the city, to qualify, by taking the oath of allegiance prescribed by the laws of this State, and their respective oaths

of office prescribed by the City Charter. Accordingly, the Mayor and Aldermen, and other city officers, did meet at the City Hall on the 17th of April, 1778, and took the oaths required, and proceeded to business.

During the two years from March, 1776, to April, 1778, the Committee of Safety appointed by the first Legislature of the State, discharged the duties of Mayor and Common Council.

By the Acts of Legislature, the original Colonial Charter of the City, granted in 1686, with a few amendments made by the Provincial Government, was adopted, except in so far as it conflicted with the new State Government.

In April, 1778, the seat of government of the State was temporarily at Poughkeepsie, no permanent place having yet been assigned. The War of the Revolution was then raging, and Albany was constantly threatened from the incursions of the enemy. The city was filled with continental troops, who were at times riotous and disorderly. The duties of the city government were difficult and responsible; but managed under Mayor Barclay with wisdom and firmness.

On the evening of May 5, 1778, the troops stationed in the city created great terror and confusion among the citizens, compelling them to put candles before their windows. The next day the Mayor and Common Council took the matter in hand, and reported it to General Conway, then in command, who published a military order preventing a recurrence of such disorder.

In this same month the citizens of Albany were greatly excited and alarmed by an order removing a large part of the troops, leaving the city nearly unprotected from rioters and law-breakers. There were ten prisoners under sentence of death in the city, and threatened rescues of them were made; whereupon Mayor Barclay and the Common Council wrote General Stark, to whose command the troops were to be removed, remonstrating against their removal.

This letter shows the situation in which Albany was placed by reason of the war. It says:

The Common Council would beg leave to observe, that the many robberies, murders and other dreadful crimes committed on the inhabitants of this City and County by deserters and prisoners from Burgoyne's Army, and by the disaffected of our own Country, who are drove to desperation, and some of them almost to starvation, renders it indispensably necessary to have a large body of regular troops to keep the villains in subjection, or go in quest of them; for, unless the militia can remain at home this year, and properly manage their summer crops, little or no support of flour and other things can the Continent derive from these parts. Last year, more than one-half of the crops were destroyed by the Army-marauders, and not more than half the usual quantity sold. If the British prisoners could be moved to another place, it would break up the alarming connection kept up between them and the Tories and the negroes.

About this time the British prisoners, the Tories and negroes, formed a plot by which they were to rise, murder the guards, rob and burn the city. It was fortunately discovered in time to prevent it. Seven of the leaders were seized and executed on Gallows Hill.

On May 30, 1778, a regiment of militia and

a body of continental troops stationed at Cobleskill were attacked by the Tories and savages. They were cut to pieces and Cobleskill burned. The enemy threatened to attack and burn Albany; but the British prisoners were removed to Poughkeepsie and reinforcements arrived by which order was maintained.

In the autumn of 1778, the Common Council and the citizens of Albany were greatly agitated by a report that the Commander of the American Forces for the Northern Department had made an order directing that over 2,000 continental troops were to be billeted on the inhabitants for the ensuing winter.

On the 12th of September, the Mayor and Common Council united in a letter to Governor Clinton, praying him to unite with them in a protest against this oppression, in which they set forth the hardships, sufferings and privations, the cruelties and insults which the inhabitants of the city had endured during the war; stating that they had, for nearly three years past, undergone innumerable inconveniences attending the operations of the war. That they were among the first who stepped forth in the cause of their country, and had submitted to every privation possible; that in their contest with the Tories, more bitter than those with the savages, and their other public services to their country, they had so wasted their substance that many of them are now reduced to the most necessitous circumstances. That the fences surrounding their grounds had been used for fuel by the continental troops, throwing their lands into commons, thus exposing their crops to destruction, while the great drought of that summer greatly diminished the necessities of life among the citizens. That there is also a greater scarcity of fire-wood than was ever known in the city, owing to the consumption there by the troops that were last winter billeted on the inhabitants. To those who supplied them therewith, no recompense has been made. They further say, "that however willing we have been, and still are, to risk our all in supporting the freedom and independence of our blessed country, we feel compelled to ask that in the distribution of the troops for winter quarters, due respect may be had for the former distresses and present sufferings of the inhabitants of Albany and its suburbs; and that, at any rate, no more troops may be allotted to us than the barracks and hospital may contain; that the strictest orders may be issued regarding stealing, pilfering, and insulting the inhabitants; and that the officers be enjoined in punishing the refractory and disobedient."

This letter, signed by the Mayor, John Barclay, the Common Council and other city officers, is of itself a touching history of the sufferings of Albany in the cause of freedom. It was listened to with consideration and respect by the commander of the troops, and had the desired effect.

The troops stationed at Albany, and the war, continued to distress the citizens, increasing the difficulties and responsibilities of the Common Council. In September, 1781, the alarming news reaching the city that the British were about to

march on it and destroy it by fire. The prompt measures adopted by the Common Council to protect the city, exhibit their patriotism, ability, and bravery. But the enemy were not permitted to reach the city.

It was during General John Stark's command of the Northern Department, about 1781, having his headquarters at Albany, that he wrote to Governor Clinton: "I am fully confident that George III, of Great Britain, has many subjects in this city who would willingly lay down half, even the whole, of their estates in his service, and trust in his royal clemency for the repayment of the money so profitably laid out." Again he says, "Albany is a very dangerous place to put men into." And again, "I have no hopes of any assistance from Albany; it is not their inclination to fight away from their own castle."

On June 28, 1782, General Washington visited Albany, and was received by an address of congratulation by the Mayor and Common Council, and with every possible demonstration of respect from the citizens. He was presented with the freedom of the city in a gold box, and was invited to dine with the board.

His arrival was announced by the ringing of bells and the roar of artillery. In the evening the city was brilliantly illuminated.

The surrender of Cornwallis at Yorktown convinced the English Government of the impossibility of conquering the United States.

November 3, 1782, Articles of peace between the two countries were signed at Paris. On April 19, 1783, a formal proclamation of the cessation of hostilities was made throughout the army. This treaty, acknowledging the independence of the United States, was formally signed on the 30th of September following. Nowhere were these events received with more joy than at Albany. On the 18th of July, 1783, information was received that General Washington and Governor Clinton would visit the city the next day. Every preparation to receive them in an appropriate manner was made by the citizens and Common Council. Their Excellencies were invited to a public dinner. Alderman Yates and Mr. Visscher were appointed to prepare addresses of welcome, and every possible demonstration of respect was made.

Washington closed his reply as follows:

While I contemplate with inexpressible pleasure the future tranquillity and glory of our common country, I cannot but take a particular interest in the anticipation of the increase in prosperity and greatness of this ancient and respectable City of Albany, from whose citizens I have received such distinguished tokens of their approbation and affection.

Governor Clinton's reply was as follows:

To the Mayor, Aldermen, and Commonalty of the City of Albany: I receive with the highest satisfaction your congratulations on the return of the blessings of peace, and the final establishment of our independence. It gives me the most sensible pleasure that my general conduct in the station in which my country has been pleased to continue me, meets with your approbation. The generous sentiments which you express in my favor demand my warmest acknowledgments, and it shall be my first wish and endeavor to answer the expectation of my constituents in my future administration.

#### COMMITTEE OF SAFETY AND CORRESPONDENCE.

*First Ward.*—Jacob C. Ten Eyck, Henry I. Bogart, Peter Silvester, Henry Wendell, Volkert P. Douw, John Bay, Gysbert Marselis.

*Second Ward.*—John R. Bleecker, Jacob Lansing, Jr., Jacob Cuyler, Henry Bleecker, Robert Yates, Stephen De Lancy, Abraham Cuyler.

*Third Ward.*—John H. Ten Eyck, Abraham Ten Broeck, Gerrit Lansing, Jr., Anthony F. Bradt, Samuel Stringer, Abraham Yates, Jr., Cornelis Van Santvoordt.

The records of the Committee are well preserved in the State Library, and we think nothing can better exhibit the state of public feeling than extracts from them. We here see the trials, the needs, the vigilance, the firmness, activity, energy and sacrifices of the patriots of that day, expressed in their own words and acts as no historian, after more than a century has passed, can express them.

The Committee was appointed under the general advice of the Continental Congress of September, 1774, held in Philadelphia. We give names of the first Albany City Committee appointed soon after hearing of the bloodshed at Lexington, April 19, 1775. The whole county was soon divided into districts, and the Committee enlarged by representation from each district. We confine our extracts, on account of limited space, chiefly to transactions of general interest, or relating to Albany County as it now is.

Changes were made in the Committee by new elections, as will appear, and continued by filling vacancies, because some of its members preferred to be neutral, while others went over to the enemy. All these last do not appear. Those who remained, and worked so bravely and constantly, deserve a place beside the signers of the Declaration of Independence. To those who are *intelligently* familiar with the history of those days no further explanations are necessary.

The meetings of this Committee were usually held in the Old Stadt Huys, used as City Hall, County House and Gaol, and afterward as State House and place for all indoor public assemblies of great importance. The city government having been suspended from March 25, 1776, to April 17, 1778, all affairs of the city and county were transacted by this Committee, with the advice and approval of the State Assembly.

1775.—First meeting of the Committee of Correspondence was held at the house of Richard Cartwright, January 24, 1775.

Officers elected were: Abraham Yates, Jr., Chairman; John N. Bleecker, Clerk. Committees were appointed to draft and send circular-letters to the Supervisors of the several districts, urging them to call meetings, appoint committees, and select delegates to co-operate with the central committee.

March 21.—Committee met and adopted the following, among other resolutions:

*Resolved, unanimously*, that Abraham Yates, Jr., Walter Livingston, Esq., Colonel Schuyler, Colonel Ten Broeck and Colonel Peter Livingston, are appointed deputies to represent the City and County of Albany, at the intended Provincial Congress, to be held at the City of New York the 20th day of April next, for the purpose of appointing delegates to represent this colony at the next Congress, to be held at Philadelphia the 10th day of May next.

*Resolved*, That the donations for the poor at the Town of Boston be delivered into the hands of Jacob C. Ten Eyck, Jacob Lansing and Henry Quackenbush, and that they buy wheat for the money and send the same in proper time.

Meetings of the Committee were held on the 12th, 26th and 29th days of April, at which letters from Massachusetts Committees were answered, and more letters were sent to the different districts of Albany County, earnestly requesting prompt expressions of the sense of the people.

The date of the following appears to be just after the battle of Lexington and before Bunker Hill—and is entered in the book of records of the Committee of Correspondence and Safety.

“A General Association agreed to and subscribed by the Members of the several Committees of the City and County of Albany.

“Persuaded that the salvation of the Rights and liberties of America depends, under God, on the firm Union of its Inhabitants in a vigorous prosecution of the Measures necessary for its Safety; and convinced of the necessity of preventing the Anarchy and Confusion which attends a Dissolution of the Powers of Government, We, the Freemen, Freeholders and Inhabitants of the City and County of Albany, being greatly alarmed at the avowed Design of the Ministry to raise a Revenue in America, and shocked by the bloody scene now acting in the Massachusetts Bay, Do in the most Solemn Manner resolve never to become Slaves; and do associate under all the Ties of Religion, Honor and Love to our Country, to adopt and endeavor to carry into Execution whatever Measures may be recommended by the Continental Congress, or resolved upon by our Provincial Convention for the purpose of preserving our Constitution, and opposing the Execution of the several Arbitrary and oppressive Acts of the British Parliament until a Reconciliation between Great Britain and America on Constitutional Principles (which we most ardently desire) can be obtained: And that we will in all things follow the Advice of Our General Committee respecting the purposes aforesaid, the preservation of Peace and good Order, and the safety of Individuals and private Property.

“John Barclay, Chairman; Walter Livingston, John Bay, James Magee, Tyrans Callans (?), Isaac Van Aernam, Gysbert Marselis, Philip P. Schuyler, George White, John McClung, Gershom Woodworth, Bastyaen T. Vescher, Florus Baricker, John Knickerbacker, Junior, Barent Vanderpoel, Will-

iam Van Bergen, John Abbott, Jacobus Williamson, Samuel Van Vechten, Peter Becker, Ebenezer Allen, Simeon Covell, Asa Flint, James Parrot, Henry Leake (his X mark), Andries Watbeck, Matthew Visscher, Samuel Stringer, Gerrit Lansing, Junior, John Ten Broeck, Robert Yates, Henry I. Bogart, John Van Loon, Henry Van Veghten, Joseph Young, Richard Esselstyn, Othniel Gardner, Baret Dyne, Abraham Cuyler, Robert McClullen, Henry Wendell, Cornelius Van Santvoordt, R. Bleecker, Henry Bleecker, John H. Ten Eyck, Jacob Bleecker, Junior, John T. Beeckman, Harmanus Wendell, Matthew Adgate, Abraham Yates, Junior, John Taylor, Rutger Lansingh, Henry Quackenboss, John M. Beeckman, John D. Fonda, John Van Rensselaer, Junior; John Price, Anthony Van Schaick, Dirck Ten Broeck, Reitzert Bronck, Frederick Beringer, Reynard Van Alsteyn, Philip Van Veghten, Joshua Losee, Anthony Van Bergen, Albertus Van Loon, Mynderse Roseboom, Abraham Ten Eyck.”

At a meeting of the Committee, May 1st, it was ordered that Luke Cassidy be paid 3/ for beating the drum, and John Ostrander 3/ for going about and ringing the bell to notify the people.

One of the first acts of this new Committee was the following letter to the Committee of Correspondence at Boston dated May 1, 1775, fitly supplementing the act of association given above.

“GENTLEMEN,—While we lament the mournful event which has caused the Blood of our Brethren in the Massachusetts Bay to flow, we feel that satisfaction which every honest American must experience at the Glorious stand you have made, we have an additional satisfaction from the consequences which we trust will [ensue] in uniting every American in Sentiments and Bonds, which we hope will be indissoluble by our Enemies. This afternoon the Inhabitants of this City convened and unanimously renewed their former agreement, that they would co-operate with our Brethren in New York and in the several Colonies on the Continent in their opposition to the Ministerial Plan now prosecuting against us, and also unanimously appointed a Committee of Safety, Protection and Correspondence, with full power to transact all such matters as they shall conceive may tend to promote the weal of the American Cause. We have the fullest Confidence that every District in this extensive County will follow our Example. On the twenty-second Instant a Provincial Congress will meet, when we have not the least doubt but such effectual aids will be afforded you, as will teach Tyrants and their Minions that as we were born free, we will live and die so, and transmit that inestimable Blessing to Posterity. Be assured, Gentlemen, that nothing on our Parts shall be wanting to evince that we are deeply impressed with a sense of the necessity of Unanimity, and that we mean to Co-operate with you in this arduous struggle for Liberty to the utmost of our Power. \* \* \* We are, Gentlemen, with the warmest wishes and most fervent Prayers for your

Success, safety and the success of the Common Cause, your Most Humble Servts.

"By order of the Committee,

"ABRAHAM YATES, JR., *Chairman.*"

May 2d—Jeremiah Hasely and Captain Stevens from the Boston encampment, appeared before the Committee disclosing secret plans under consideration by the New England forces for capturing Fort Ticonderoga, which, on information was said to be furnished with several pieces of brass cannon and many fine stands of arms, a quantity of gunpowder and other military stores. Aid was requested for our countenance and small assistance with a supply of flour in the execution of the proposed plan.

May 3d—A letter was addressed to the Committee in New York, advising them of the visit and disclosures of these gentlemen, and requesting their sentiments.

The letter makes this statement: "From the many applications that have been and are daily made from the eastward, we are very scant of powder, arms, and warlike stores, and the city is in a very defenseless situation; not a piece of artillery in it."

A letter from the Committee in New York, dated April 28th, urges the necessity of a Provisional Congress to be held in that city May 22d, to be composed of delegates from each county in the Colony.

A committee was appointed to wait on Colonel Guy Johnson, to know the truth of the report prevailing about the disposition of the Indians being unfriendly to the Colony, relative to the present commotions.

Colonel Johnson informs the Committee that on his honor there is no ground for the reports that he knows of, but says that he has it from good authority that the Canadians were to come down upon the back of the Colonies, and which he believes to be true.

Therefore *Resolved*, "That Abraham Cuyler and Hendrick Wendell be a Committee to apply to Mr. Dirck Ten Broeck for two hundred Stand of Small Arms of the parcel he is possessed of, to be prepared and made fit for immediate service." "From the present State and turbulence of the County, from the alarm arisen by suspicion of the Negroes, from the information from Col. Johnson respecting the Canadians, we conceive it prudent to have a strict and strong watch, well armed and under proper discipline, and the Corporation declining to undertake the same, Therefore, for the peace, good order, safety, and protection of this City, ordered that copies of the following advertisement be fixed up in the proper places in the different wards.

"Notice is hereby given to the inhabitants of the City of Albany that it is the opinion of their Committee that they assemble and meet together in the different wards of this City at the usual places of election, to-morrow, at one o'clock in the afternoon, to form themselves into Companies from the age of sixteen to sixty, each Company to consist of a Captain, two Lieutenants, one Ensign, four Ser-

jeants, four Corporals, one Drum and fifty-one privates. Dated 3d May, 1775.—By order of the Committee. "ABRAHAM YATES, *Chairman.*"

Meeting of Committee, May 4, 1775—The following is the return of the officers chosen this day by the people in consequence of our advertisement—to wit:

#### FOR THE FIRST WARD.

*First Company*—John Barclay, Captain; John Price, Stephen Van Schaaik, Lieutenants; Abraham Yates, Ensign.

*Second Company*—John Williams, Captain; Henry Staats, Barent Van Allen, Lieutenants; Henry Hogan, Ensign.

*Third Company*—Thomas Barret, Captain; Abraham Fights, Matthew Visscher, Lieutenants; John Hoogkerk, Ensign.

*For the Third Ward*—Captains: John Beeckman, Harmanus Wendell; Lieutenants: Isaac De Freest, Abraham Ten Eyck, William Hunn, Peter Gansevoort, Junior; Ensigns: Cornelius Wendell, Teunis T. Van Veghten.

At Committee meeting of May 5th, a letter from Barrington was read requesting aid, which was declined until advices should be received on the subject from the New York Committee.

Committee Chamber, 10th May, 1775, City Hall of the City of Albany.

Present, Nineteen Members of Committee. District of Grote Imboght, 2 delegates; Sinkaick and Hosick District, 3 delegates; Bennington District, 8 delegates; Corporation of Cambridge, 8 delegates; Manor of Livingston, 5 delegates; Schagtekoek, 8 delegates; Kings District, 3 delegates; German Camp, 2 delegates; Cambridge District, 3 delegates; District of Cocksackie and Katskill, 5; Schoharry and Duanesborough, 6 delegates; Claverack, 5 delegates; Kinderhook, 4 delegates; Manor of Rensselaerwyck, 22 delegates; Saratoga, 10 delegates; Schenectady, 10 delegates; Half Moon, 7 delegates.

Adjourned to 3 o'clock this afternoon.

May 5th—The following delegates were chosen by ballot to meet in General Congress at New York the 22d instant. Abraham Yates, Dirck Swart, Volkert P. Douw, Robert Van Rensselaer, Peter Silvester, Francis Nicoll, Robert Yates, Henry Glenn, Jacob Cuyler, Abraham Ten Broeck, Walter Livingston.

*Resolved*, That the Committees of the different districts recommend to the people to form themselves into Companies, properly equipped and disciplined, and that they make report to the Chairman of the Committee for the time being.

May 11th—Sixty-six members present. Another request for supplies for the use of the people gone against Ticonderoga, was voted in the negative.

May 12th—"We received a letter signed Ethan Allen by the hands of Mr. Brown, acquainting us of the taking Ticonderoga. Upon which we wrote a letter to the committee of New York by Captain

Barent Ten Eyck, Express, and each of us paid him a Dollar a piece for going."

May 13th—Received letter from New York confirming previous decisions not to furnish aid to Ticonderoga expedition until some action of the Provincial or Continental Congress.

May 16th—Samuel Stringer, Chairman *pro tem*.

*Resolved*, That any Person in this City County who has arms, ammunition or other articles necessary for our Defense to dispose of, shall not within ten days after the publications of these resolutions inform this Committee of the quantity and quality of the same, shall be held up to the Public as an Enemy to this Country.

*Resolved*, That any person who shall dispose of any aforesaid articles to any person, knowing or having reason to believe such person to be inimical to the liberties of America, he shall be held up as an enemy to this Country. Ordered, that the same be published in Hand Bills.

Committee Chambers, 22d May—John H. Roseboom delivered a speech from an Indian called Little Abram, a chief of the Mohawks. "They hear that Companies and troops are coming to molest us, that a large body are hourly expected from New England to take away by violence our Superintendent and extinguish our Council Fire, for what reasons we know not. We have no purpose of interfering in the dispute between Old England and Boston; the White People may settle their own quarrels; we shall never meddle in those matters if we are let alone. But should our Superintendent be taken away from us we dread the consequences. We are so desirous of maintaining peace, that we are unwilling the Six Nations should know the bad Reports spread amongst us. Brothers, We desire you will satisfy us as to your knowledge of those reports and what your News are and not deceive us in a matter of so much importance.

"ABRAHAM, Chief.

"Interpreted by Samuel Kirkland, Missionary. May, 1775."

A committee of two was appointed to go with an answer to the Indians.

May 25th—The first communication from the Congress then in session at Philadelphia, received. It was a request that the Albany Committee send provisions and supplies to Ticonderoga, with a sufficient number of men and mechanics to build and manage scows with which to bring cannon and military stores from the conquered fort.

A resolution was at once passed to act accordingly—to raise a company of one hundred men and march as soon as possible to Ticonderoga. Cornelius Van Santvoordt was chosen commissary of stores by ballot, and Henry I. Bogert was appointed to go to Fort George in charge of the stores and building of the scows for lake transportation.

May 26th—The following was passed:

*Resolved*, That it is the opinion of this Committee that the physicians and others of this city and county who are in the practice of inoculation for small-pox, be requested immediately to desist from

inoculation until the sense of this Committee be signified to the contrary.

May 29th—A letter was received from the Provincial Congress at New York, dated 25th May, 1775, inclosing instructions to Messrs. John N. Bleeker, Henry Bogert, George Palmer, Peter Lansing, and Dirck Sevant, who were by said Congress appointed commissioners or agents to superintend and put in execution the recommendation of the Grand Continental Congress of the 10th May, 1775, relative to Ticonderoga.

Peter W. Yates, John N. Bleeker, Jeremiah Van Rensselaer, and John Taylor, the Committee appointed to draw up an instrument to bind those in their duty who shall enlist in the Provincial Service, brought an instrument in the words following, to wit:

"WE, the subscribers, being well convinced of the absolute necessity of raising a body of Provincial Troops for the defense of the Constitution and the preservation of our just rights and liberties, when the same are in the most imminent danger of being invaded, have therefore voluntarily enlisted into the Provisional Service, and do hereby promise and agree that we will severally do, execute, and perform all and every such instructions, directions, orders, military discipline, and duties as our officers, or either of them, shall from time to time give or send to us during the time that our service is required in the unhappy contest between Great Britain and the Colonies; and we do severally promise and engage not to go from or quit the said service until we shall be discharged or dismissed from the service by the Continental or Provisional Congress, or by the General Committee of the City of Albany, under the penalty of forfeiting our wages, and being deemed in the eye of the Public as enemies to our Country."

*Resolved*, That the Captains of this City call out their Companies once every two weeks in the afternoon for the purpose of perfecting themselves in the military discipline, and that Saturday, the third of June next, be appointed for the first time of mustering.

*Resolved*, That John Ostrander be appointed under the denomination of Town Serjeant, who shall keep a regular Roster of all the officers of the different wards in the City, and that he warn the officer not on duty, every morning preceding the night he is to watch, and that every officer so warned shall order his Serjeant to warn the men who shall attend to the watch house at the appointed hour with proper arms, ammunition and accoutrements, and that every person capable of doing his duty Shall attend in person.

8th June—We received a letter from Colonel Phillip Schuyler, dated Philadelphia, 3d June, 1775, in these words, to wit:

"The conduct of the Albany Committee has given great Satisfaction to the Congress. You cannot wonder that I should be pleased with every Transaction that reflects honor on my dear Countrymen. The article of powder is under serious consideration; but, difficult as it is to procure that

essential commodity, I hope we soon shall have a supply. May indulgent Heaven smile propitious on the endeavor of the Americans to remain a free and a happy people; may my Countrymen stand distinguished in the glorious Struggle, and may an All directing Providence guide us safely through the dangers of this unhappy Contest."

June 17th—Received a letter from Colonel Benedict Arnold, dated Crown Point, 12th June, 1775.

"Gentlemen,—Your letter to Captain White with orders for the Companies from Albany County to return to Fort George he has just received, in consequence of which they are now embarking for that place. Their departure leaves us in a very defenseless Situation, as we have only 100 men left here, but could not advise them to go contrary to their orders, tho' the men are much wanted. Had you known our present Situation, I believe you would not have given orders for their removal.

"Your Most Humble Servant.

"BENEDICT ARNOLD."

Received a letter from the Committee of Schenectady, dated 16th June, 1775, requesting that fifty Stand of Arms be sent them by Mr. Wendell's Servant.

*Resolved*, That John N. Bleecker deliver to Mr. Wendell's Servant fifty guns for the use of Captain Cornelius Van Dyck's Company at Schenectada.

*Resolved*, That John N. Bleecker, Commissary, send to Fort George four barrels of New England Rum, to be delivered to Henry I. Bogert or any others of the Commissaries at that Post. To be Charged to the Soldiers at the rate of Six Shillings per gallon.

June 22d—Present, twenty-two members.

On motion, the question being put whether or no it is necessary that some money be raised to pay the troops raised for the use of this colony.

*Resolved* in the affirmative.

*Resolved*, That five hundred pounds be raised, by bills of credit, as follows:

1,000 of 1/	£ 50
750 of 2/	75
500 of 5/	125
500 of 10/	250
	£500

*Resolved*, That the bills for the above sums be of the following tenor, to wit:

"This Note shall entitle the bearer to the sum of \_\_\_\_\_ New York Currency, payable by us, the Subscribers, on or before the first day of September next, pursuant to a Vote of Credit of the Sub-Committee of the City and County of Albany.

"By order of said Committee."

*Resolved*, That Messrs. Jacob C. Ten Eyck, Jacob Lansingh, Jun., and Samuel Stringer, subscribe their respective names to the several notes, to be issued as aforesaid, and number the same; and the respective members of this Committee do hereby engage to save and keep harmless and indemnified the said Jacob C. Ten Eyck, Jacob

Lansingh, Jun., and Samuel Stringer, for all sums of money which they or either of them may be compelled to pay in consequence of their signing the said notes, exclusive of their proportional part as members of this Committee.

*Resolved*, That Messrs. Robert Yates, John Bay, Abraham Cuyler, Gosen Van Schaick, Cornelius Van Santvoordt, John Ten Broeck, Henry Quackenbush and Lucas Van Veghten, or any two of them, superintend the printing of said bills.

At the Committee meeting June 23d, a note was sent to Boston, as follows:

"We are at a loss to know what must be done with the Donations collected in this City for the Poor of Boston, and beg to be informed by you, as the Chief Contributions was in Grain, whether we shall dispose of it here and convert it into Cash, or otherwise. Waiting your directions, we are,

"Brethren, your very humble servants."

June 26th—*Resolved*, That there be struck in Bills of Credit, in addition to what has already been ordered, Five Hundred Pounds of the following tenor, to wit: Two hundred and fifty of twenty shillings and one hundred and twenty-five of forty shillings.

Committee Chambers, June 29th—Samuel Stringer, Chairman *pro tem*.

Upon the whole, we are of opinion, *First*.—That as the safety of our Persons, and the Preservation of our Properties depends upon the due administration of Justice, that the course of Justice ought not to be obstructed, but that the Same Continue in the usual Course, and in the King's Name, as our allegiance to him is not denied; and that we are to Wait the resolution of the Provincial or Continental Congress on this Subject and abide by their determination, otherwise we Conceive the whole Country will be reduced to a State of the Greatest Anarchy and Confusion.

*Second*.—Appeals are still admitted, at least in this Government, in all cases where they always have been Allowed; in this the law has not been altered, and the Subject in this Province has the Same Liberty of a fair and impartial trial, as usual on Constitutional principles; and we do not object against any Acts of Parliament, except the late Unconstitutional and oppressive ones which have been Noticed by the Continental Congress in their Session last Fall.

*Third*.—We are neither Rebels or Traitors, nor have we forfeited our Estates, neither are there any acts of Parliament of that nature in force to our knowledge against any persons in this Province; nor do we conceive the application of Traitors and Rebels justly applied to Subjects who refuse to comply with requisitions of unconstitutional Acts of Parliament.

July 3d—Mr. Leonard Gansevoort reports that he had paid Captain George White the sum of £100 14s. New York currency for himself, the officers and privates of his Company, which this board does approve of.

*Resolved*, That Mr. Leonard Gansevoort, Treasurer, pay unto Captain Hezekiah Baldwin, the sum

of £71, in behalf of his pay as Captain, and for and on behalf of the rest of his officers and privates of his Company.

July 5th—Received letter from Phillip Schuyler, of which the following is a part:

"I have received advice that some Oneida Indians are now at Albany. Your prudence will suggest that the kindest treatment is necessary to these People, and I beg of you not to let them return without some liberal presents or tokens of our friendship, nor without assurances that they will speedily be called to a Conference at Albany, or some other convenient place, in that or Tryon County. What money you may disburse for presents I shall immediately see repaid."

July 5th—Mr. Henry Glen produced to this board warrants and instructions for the following persons from Albany County:

Captain, Stephen J. Schuyler; First Lieutenant, Barent Roseboom; Second Lieutenant, Dirck Hansen; Captain, Joel Pratt; First Lieutenant, Benjamin Chittenden; Second Lieutenant, Israel Spencer; Captain, Elisha Benedict; First Lieutenant, Samuel Fletcher; Second Lieutenant, Alexander Brink; Captain, Joseph McCracken; First Lieutenant, Moses Masten; Second Lieutenant, John Barns; Captain, John Visscher; First Lieutenant, Benjamin Evans; Second Lieutenant, Joseph Fitch; Captain, Hezekiah Baldwin; First Lieutenant, Nathaniel Rowley; Second Lieutenant, Roswell Beeby; Captain, Peter Yates; First Lieutenant, Henry Van Veghten; Second Lieutenant, Gideon King.

Mr. Henry Glen also informs this Board that the Congress have approved of the following field officers:

Colonel, Myndert Roseboom; Lieutenant-Colonel, Goosen Van Schaick; Major, Lucas Van Veghten; and that they had appointed John M. Wendell, Quartermaster, and Barent J. Ten Eyck, Adjutant.

Received a letter from the Deputies of the Province in Continental Congress, dated 30th June, 1775, in which they announce:

"The Military Arrangement within the Department of New York is entrusted to Major-General Schuyler, to whom we refer you for the money which you request, not doubting but his hands will be strengthened so as to enable him to do everything necessary for the Protection of our Frontiers.

Signed,

"PHILIP LIVINGSTON,

"JAMES DUANE,

"WILLIAM FLOYD."

*Resolved*, That Robert Yates, Abraham Ten Broeck and Jeremiah Van Rensselaer, Esqs., be appointed to prepare an address to be presented to General Philip Schuyler on his arrival.

July 6th—New York Provincial Congress.

*Resolved*, That ten shillings shall be allowed to every soldier that shall enlist in the Continental service in this Colony for the present Campaign,

who shall furnish himself with a good musket, to be approved by the Muster-Master and Armorer of each Regiment.

July 12th—Abraham Yates, Chairman.

*Resolved*, That Jeremiah Van Rensselaer be furnished with the sum of ——— out of the Paper Emission of this Committee, and that he go up to Lake George, Ticonderoga and Crown Point and make a final settlement with those Companies, and declare to them that they for the future must look for their pay and necessities to the Officers appointed by the Continental or Provincial Congress for that purpose.

It being intimated to this board by Mr. Peter Vrooman, that some tavern-keepers in this county sell spirituous liquors too freely to the Indians, from which evil consequences often happen, therefore

*Resolved*, That it be recommended to all Tavern-keepers and others in said County, to sell spirituous liquors to the Indians as sparingly as possible, so as to prevent their getting drunk.

"CANAJOHARY, July 13.

"GENTLEMEN,—We are informed by good authority that Col. [Guy] Johnson was ready with eight or nine hundred Indians to make an invasion of this County; that the same Indians were to be under the Command of Joseph Brandt and Walter Butler, and that they were to fall on the inhabitants below Little Falls, in order to divide the people in two parts, and were to march yesterday or day before. From this and other circumstances we have too much reason to think that all our enemies in this County will appear against us as soon as the Indians are nigh to us.

"Our ammunition is so scant, we cannot furnish 300 men so as to be able to make a stand against so great a number.

"This is the more alarming to us, as we shall within a few days be obliged to begin with our harvest. In these deplorable circumstances we look to you for assistance.

"By order,

"CHRIS<sup>r</sup> P. YATES."

*Resolved*, That a letter be prepared for General Schuyler, enclosing a copy of this, and sent by express to Saratoga.

July 15th—Received a letter from General Philip Schuyler, dated Saratoga, Friday evening, three-quarters past eleven, July 14, 1775, in the following words, to wit:

"SIR,—The letter you have enclosed me is of a truly alarming nature, and requires the most vigorous and immediate efforts. I would advise that not only Captain Van Dyck and his company, but also such others as you can possibly get, should immediately march into Tryon County with the Albany and Schenectady Militia, who should also be requested to march to the relief of that County.

"Your obedient servant,

"PH. SCHUYLER."

*Resolved*, That 150 pounds powder be transmitted to the Committee of Tryon County, they paying for the same at the rate of five shillings per pound, and that 25 pounds be forwarded to Schenectady for the use of Captain Cornelius Van Dyck's Company.

A paper was handed to this Board, supposed to contain reflections on this Board, which is as follows, to wit:

"The Mode of a late very Extraordinary and very Grand Procession.

"I. The Congressional General.

"II. The Deputy Chairman, and who is only Chairman *Pro Tempore*.

"III. Mr. Ten Broeck—through a mistake.

"IV. The Chairman.

"V. The Committee.

"VI. The Troop of Horse, most beautiful and grand; some Horses long tailed, some bob Tailed, and some without any tails, and attended with the Melodious Sound of an incomparable fine Trumpet.

"VII. The Association Company.

"A SPECTATOR."

The above caused much indignation and commotion among the Committee and the Citizens, as the occasion alluded to was the public reception of General Schuyler.

A few days later, Peter W. Yates, a member of the Committee of Correspondence, wrote an acknowledgment of being the author, and asked to be forgiven, as he meant no injury to the Board or to the Cause of Liberty, still being a friend to both; also sending in his resignation, which was accepted, together with apology.

Mr. Yates, however, stood well with the people, for he was re-elected to the membership he had vacated, as appears from the following entry of July 26th:

"In pursuance of a resolve of the 22d instant, of the inhabitants of the First Ward of this City, to proceed to an Election of a Member in the room of Peter W. Yates, Esq., the Clerk of this Board files a return of the Poll, by which it appears that the said Peter W. Yates was again elected."

July 27th—Peter W. Yates, Esq., declined serving, on his being elected on the 23d instant. An election was again held on the 26th instant, agreeable to a resolve of this Board, when Doctor Joseph Young was elected.

July 29th—Extract from a letter to General Philip Schuyler, from the Committee:

"We have the Pleasure to inform you that the apprehensions of the inhabitants of Tryon respecting the Indians is entirely removed, and the unhappy dispute between the inhabitants of the upper Part of the County with Sir John Johnson and the Sheriff of that County amicably accommodated upon the two following Points:

"*First*.—The Sheriff is to leave the County and not return to it again.

"*Second*.—Sir John Johnson is not to take any active part against the People in the Disputes at

Present Subsisting between Great Britain and the American Colonies."

Mr. Benjamin Baker laid before this board proposals for making Salt Petre.

*Resolved*, To forward the said proposal to the Provincial Congress in the following words:

"GENTLEMEN.—You will find enclosed, proposals from Mr. Baker, and think it may be worth your while to give him encouragement. Doctor Young (one of our board) has examined the Nitre he has made as a sample, and considers it as good as the Nitre from Europe."

August 1st—Ensign Daniel Lee petitioned for his pay while serving in Captain Joel Pratt's Company. Granted.

August 5th—Letter from General Philip Schuyler:

"GENTLEMEN,—I have directed the Commissary-General, Mr. Livingston, to pay you £1,000 New York Currency to call in the Bills you have emitted. As you must ultimately account to the public for this money, you will please to take the proper Vouchers from the People, and when the bills are called in you will proceed, jointly with Mr. Livingston, to cancel them."

August 8th—Letter from Provincial Congress dated New York August 2, 1775:

"We have the pleasure to inform you that this Congress have made an allowance to each Officer of One Dollar for every man that may or has already enlisted in the Service, in order to reimburse them for the expense of said enlistment.

August 9th—Received letter from Governor Jonathan Trumbull, dated Lebanon, July 21, 1775, on Onedia Indian affairs.

Robert Yates writes from New York that Congress had just examined a Soldier who deserted from the Army in Boston and fought with the British at Lexington and Charles Town. He says they pay their men weekly, but their pay is only 14 coppers each.

August 16th—Whereas, Complaint has been made to this board by an Indian, that he was beat by some person in this City and his Shirt taken away or lost; for the sake of maintaining peace with the Indians,

*Resolved*, That Mr. John W. Bleecker furnish the said Indian with a new Shirt of the value of ten Shillings.

August 19th—Received the following letter dated German Flats, August 16, 1775:

"SIR,—We beg the favor of you to Supply the 55 Onedia Indians at Albany with provisions till we come, and we will be answerable for the expense. We have about 500 of the Six Nations here, who all Seem in good Temper, and we hope will proceed from here to Albany and there await the arrival of the Indians from Canada to hold a General Treaty.

"We are, with Respect,

"VOLKERT P. DOUW,  
"TURBUTT FRANCIS."

August 21st—Received a letter from the Committee of Safety for Pennsylvania, dated Philadelphia, August 12, 1775, in these words, to wit:

"GENTLEMEN,—With this you will receive 2,400 pounds of Gun powder sent by us for the use of General Schuyler, to whom we make no doubt you will forward it by first opportunity.

"This Committee has heard that a great and Superfluous quantity of Lead was taken at Ticonderoga. It is an article much wanted here. If that lead should be with you and you can conveniently load this Wagon back with a parcel of it we shall be much obliged and will be accountable for the Same.

"We are, Gentlemen,

"Your Most Ob' Humble Servants.

"Signed, by order of Committee,

"B. FRANKLIN, Pres'."

*Resolved*, That the following order be sent to the Captain of the City Watch for this night, to wit:

"SIR,—On your watch this night you are to take in Charge Alexander White and three other persons in Confinement with him and to order that strict care be taken that said prisoners do not escape."

The Committee, about half an hour after ten, received a note from the Commissioners of Indian Affairs, that they are to open the Treaty with the Six Nations about eleven o'clock in Yonkers Street, back of the Dutch Church, and request our attendance and that of the principal gentlemen of the Town. This Committee, though taken by surprise, Resolved immediately to attend, and the Bell man was sent to apprise the inhabitants who might wish to attend.

Long Speeches by an Oneida Chief in behalf of the Six Nations were made, declaring their good feelings and intentions, and their purpose to live up to the old Treaties of Peace.

Arvin Montague Morris was brought before this board, suspected to be inimical to the American Cause; and, upon examination, he could not give a proper account of himself; therefore

*Resolved*, That he be sent to the Camp and there remain till further orders.

Received a letter from the Committee of Tryon County, expressing Satisfaction that White, Clement and Brown were held as prisoners, as there is much evidence that they are enemies to the Common Cause.

Henry Ten Eyck, Sheriff of the City and County of Albany, being called before this board to tell who was the plaintiff in the suit upon which Alexander White, Esq., is in custody, said that Abraham C. Cuyler was the Plaintiff, and John Hansen the Attorney.

By a return of the Field Officers for the District of Rensselaerwyck, the following persons were recommended for the four Battalions, to wit: Abraham Ten Broeck, Colonel-in-Chief; Francis Nicol, Lieutenant-Colonel; Henry Quackenbush, Barent Staats, Majors; John Quackenbush, Adjutant; Christopher Lansingh, Quartermaster.

*Second Battalion*.—Killian Van Rensselaer, Colonel; John H. Beeckman, Lieutenant-Colonel;

Cornelius Van Beuren, Jacob C. Schermerhorn, Majors; Jacob Van Der Poel, Adjutant; John A. Lansingh, Quartermaster.

*Third Battalion*.—Stephen Schuyler, Colonel; Gerrit Van Der Bergh, Lieutenant-Colonel; Peter C. Schuyler, Volkert Veeder, Majors; Maas Van Vranken, Adjutant; Francis Marshall, Quartermaster.

*Fourth Battalion*.—Stephen J. Schuyler, Colonel; Henry K. Van Rensselaer, Lieutenant-Colonel; Philip De Freisto, John J. Fonda, Majors; Volkert Oothout, Adjutant; Jacob Van Alstyne, Quartermaster.

The above persons were Approved of by this Board.

The Officers appointed by this Board to the City Regiment are as follows:

Jacob Lansingh, Colonel; Derck Ten Broeck, Lieutenant-Colonel; Henry Wendell, Abraham H. Cuyler, Majors; Volkert A. Douw, Adjutant; Ephraim Van Veghten, Quartermaster.

The Provincial Congress dissolved October 14, 1775, recommending the Election of Deputies to form a new Congress. The General Committee of the City and County of Albany also resolved that they be dissolved the 21st day of December, 1775.

An Election was accordingly held on Tuesday, November 7, 1775, at which the following persons were Elected as Delegates to the New Provincial Congress: Leonard Gansevoort, Abraham Ten Broeck, Abraham Yates, Jun., Jacob Cuyler, Francis Nichol, Robert Yates, Henry Glen, Peter Sylvester, Peter B. Livingston, John J. Bleeker, Henry Oothout, and Robert Van Rensselaer.

This Committee do hereby declare the said persons to be duly elected, and that they, or any five of them, represent this City and County in the next Provincial Congress.

January 20, 1776—The Committee to enquire for a proper place to confine such persons as are inimical to American Liberty, Report that there are two rooms in the Fort in this City which might be repaired with little expense for said persons; therefore

*Resolved*, That General Schuyler be requested to fit the upper room in said Fort.

*Resolved*, That the Committee of this County Condole the Death of the brave General Richard Montgomery, by wearing each a crape around their arms for six weeks from this day successively.

February 7th—Fifty-eight members present. John Barclay, President *pro tem*. George Ramsey having been sent from Schenectady, charged with calling persons in favor of American Liberty, Rebels:

*Resolved*, That the said Ramsey be disarmed and Stand Committed until he enter into Bond in the Sum of £200, with sufficient sureties, for his future good behavior. Joseph Kingsly was also charged with the same offense, and was dealt with in the same manner.

March 14th—*Resolved*, That no person or persons be permitted to move into or settle in this County, unless he or they bring a Certificate from

the Committee of the County or district from which they claim that they had, prior to this resolve, signed the association recommended by Congress, and had in all things behaved in a manner becoming to Friends of American Freedom.

April 11th—The following is the form of parole in use at this time.

"I do promise, on the word and honor of a Soldier and gentleman, that I will hold no manner of correspondence or conversation on Political Matters with any person or persons that are inimical to measures now pursued by the United Colonies of America; and that I will not depart the bounds of the District of Coxackie without leave of the Committee of the said district.

"JAMES HEWETSON."

May 3d—Messrs. Rutger, Bleecker and Dr. Joseph Young were named a Committee to encourage the culture of Hemp, Flax and Wool; also the making of Sturgeon Oil to supply the place of Whale Oil, in view of the Stoppage of the Whale Fisheries.

May 8th—John Boyd Confessed to selling Bohea Tea for 7/6 per pound, Contrary to Resolution of Continental Congress. That others did it, was his excuse.

*Resolved*, That the said John Boyd has violated the Resolution, and ought to be considered an Enemy to the American Cause; and it is recommended that all persons break off all intercourse with said Boyd.

Absalam Woodworth was also convicted of same offense, and was punished in the same manner.

A Resolution passed some weeks ago to disarm all disloyal persons. The following is the Warrant for so doing :

"SIR,—You are hereby required and Commanded forthwith to proceed to the houses of Abraham C. Cuyler, John Van Allen, Stephen De Lancey, Gysbert Fonda, John Monier, and William Shepherd, there to receive and take all their Arms and Ammunition, Side arms excepted; for which arms, etc., you are to give a receipt. And bring said arms, etc., to the Chairman of this Committee without delay. And for so doing this shall be your Warrant."

The number of troops furnished by Albany County for General Schuyler, in Canada, was :

East Manor, Rensselaerwyck, 75; West District, Rensselaerwyck, 75; Claverack and King's District, 150; East Camp and Grote Imboght, New York, 75; Half Moon, Balston and Saratoga, Canada, 75; Albany, Schohary, Coxackee and Kinderkook, 75.

Henry Marselis was made Captain of Company raised in Albany City, Schenectady, Coxackee and Schohary, to reinforce Continental Army in Canada; Benjamin C. Dubois, First Lieutenant; John Van Antwerp, Second Lieutenant.

*Resolved*, That Henry K. Van Rensselaer be appointed Major of the Company of Militia for the County for Service in New York.

Peter Van Rensselaer was appointed Captain of Company raised in Claverack; Christopher C. Mil-

ler, First Lieutenant; Wilhelmus Philips, Second Lieutenant.

July 1st—Committee appointed Officers of Battalion, raised in Albany, Tryon, Charlotte, Cumberland and Gloucester Counties as follows: Cornelius Van Dyck, Colonel; Barent S. Ten Eyck, Major; John Shepardson, Lieutenant-Colonel.

July 17th—Received a letter from Abraham Yates, Junior, Robert Yates and Matthew Adgate, dated White Plains, 14th instant, enclosing the Declaration of the United States of America; declaring the Said United States free and independent; also the resolutions of the Representatives of the State of New York, in consequence thereof.

Received a letter from John Rogers, one of the Committee of Saratoga, dated 11th instant, complaining that the Small Pox is very prevalent in said district.

July 18th—*Resolved*, That the Declaration of Independence be published and declared in this City to-morrow at Eleven O'Clock at this place, and that Colonel Van Schaick be requested to order the Continental Troops in this City to Appear under Arms at the place aforesaid; and, further, that the Captains of the Several Militia Company in this city be requested to Warn the Persons belonging to their respective Companies, to appear at the place aforesaid, and for the purpose aforesaid.

Much of the time of the Committee during their Sessions was consumed in the apprehension, conviction, and punishment of disaffected and disloyal persons, of whom there was a great number. The "Tory Gaol" in the City Hall was filled with them, and the list was constantly increasing.

Expenses increased rapidly for arms, ammunition, and supplies, and it was found difficult to pay the soldiers with sufficient regularity to prevent great discontent. The labor of the Committee was very perplexing and arduous at this time.

August 3d—Samuel Stephenson is hereby discharged of being Keeper of the Tory Gaol, and Volkert Dawson is appointed in his room.

*Resolved*, That John A. Bratt and Alexander Baldwin be appointed Captain for the Ranger Companies; and Marte Van Beuren, John B. Marselis, Michael Jackson and John Jost Sidney, Lieutenants for said Company and Stephen Lush, Captain for the Company to guard the stores in Albany, and Gerritt Staats and Jacob J. Lansing, Lieutenants.

August 17th—The Association Company elected Andrew Douw, Captain, and Peter Van Bergen, Ensign.

Rev. Harry Munro, Rector of St. Peter's, Albany, requested a pass to New York and Philadelphia, which was refused by the Committee in the following words:

*Resolved*, That the Chairman acquaint you, the said Munro, that this Board cannot, consistent with their duty, grant his request, as the very Idea of a pass is to recommend the person having it to the public as a Friend to the Cause and right of America, and that they extremely lament that they

have it not in their power to give him such a recommendation, as they are ignorant that he has ever manifested himself such a friend in any one instance since the Commencement of the present unhappy Contest.

Captain John Williams was appointed Captain of a Company of 75 men to be drafted out of the Militia of this County to reinforce the Fortresses in the Highlands.

September 29th—This board being informed that a Company of Colonel Van Dyck's Regiment had deserted.

*Resolved*, that a letter be prepared for General Schuyler on the subject, which was done.

*Resolved*, That there be allowed Eight Shillings for the three first pair of two-threaded Stockings that shall be knitted in one family.

October 22d—Jonathan N. Mallory is hereby appointed Surgeon to Colonel Peter Van Ness, Regiment of Militia.

*Resolved*, That any Negro Man Slave within the Manor of Rensselaerwyck, who shall be found from his Master's house after Six o'clock in the Evening without a permit from his master or mistress, he shall be immediately apprehended and receive Corporal punishment.

November 26th—*Resolved*, That John Barclay be appointed Chairman of this Committee, Matthew Visscher, Clerk, and Jacob Kidney, Messenger.

Pursuant to a resolvent of the 8th instant, it appears that the following persons are duly Elected for the space of Six months from the first day of December next, unless sooner disbanded by the Convention of this State.

The resolution of the 8th instant was as follows:

*Whereas*, The time limited by the good people of this County for the present Committee to serve, expires in the County this 4th Tuesday of this month; and

*Whereas*, The Representatives of this State in Convention have been inevitably prevented from forming a Government for this State, it is necessary that another Committee be elected in this County for the Space of Six months:

*Resolved*, That the Election in the several districts in this County be held on the 3d Tuesday of November.

There were elected from the First Ward, 9 members; Second Ward, 9 members; Third Ward, 9 members; Manor of Rensselaer, 20 members; Schoharie, 6 members; Grote Imbought, 5 members; Ballston, 5 members; Hosick, 12 members; Coxackie, 6 members; German Camp, 4 members; Schaghtikocke, 10 members; Manor of Livingston, 10 members; Half Moon, 7 members; Saratoga, 7 members; Schenectady, 11 members; Cambridge, 9 members; Kings, 8 members; Claverack, 12 members.

*Resolved*, That the Committee of the County meet every Fortnight in the City Hall, on Tuesday, and that at least one member from each District attend.

*Resolved*, As the opinion of this Committee, there be allowed one Shilling per day for the first five

days the militia supplied themselves with provisions on the late alarm to the northward, and that for the remainder no more than eight pence half penny be allowed.

November 30th—General Gates laid before this Board a letter from the President of the Convention of this State to the Hon<sup>ble</sup> Major-General Schuyler, desiring him to take the management of obstructing Hudson River, which the Committee had resolved upon, desiring the opinion of this Board whether same ought to be forwarded by Express to His Honor, which is hereby ordered to be done.

December 10th—*Resolved*, That a permit be granted to Lady John Johnson to go to Fish Kills, in order to apply for a pass to New York.

December 31st—General Schuyler applies to this Board for assistance in procuring blankets for Colonel Van Schaick's and Colonel Gansevoort's Regiments. Committees were appointed to obtain the same from the inhabitants of Albany and Schenectady.

January 21, 1777—*Resolved*, That every person who shall offer anything for Sale for a less sum in Gold or Silver than in Continental or other paper money now passing currently, shall be considered as a Depreciator of the paper Currency, and treated accordingly, and that any Person who shall refuse to take the same shall be treated in like manner.

February 3d—*Resolved*, That the Deputies of this County in Convention, be instructed to use their influence to have General Schuyler appointed one of the Delegates to represent this State in Continental Congress.

February 10th—*Whereas*, The great number of persons keeping taverns or Tipling houses, many of whom are disaffected and there is reason to believe they have influenced many Soldiers to quit the Service: be it

*Resolved*, That no person or persons shall continue or set up a Tavern in any District in the City or County of Albany without a license or permit for the same, under penalty of £50 fine.

March 4th—*Resolved*, That the Committee of each respective District within this County do appoint and assign fit and suitable places in their said Districts for Inoculating Hospitals, and that the said Committee use all the precautions to prevent the spreading of the Small Pox.

The Committee are informed that Mr. Waters, who has hired the house now occupied by Colonel Philip P. Schuyler, intends to inoculate his family upon his having moved them to said House. The Committee being sensible that by such conduct the infection will spread among the Continental Troops; therefore

*Resolved*, That the said Waters be strictly forbid to inoculate his family as aforesaid, on pain of forfeiting the sum of £500.

*Ordered*, That Jacob Kidney is hereby appointed Gaoler in place of Samuel Loadman.

*Resolved*, That all officers in this County belonging to the Crown of Great Britain, at either full or half-pay, be sent for; and, on their appearance, that they be sent to the Convention of this State, Requesting them to have them exchanged, or ordered to such place that they may do no injury in this country.

March 17th—*Resolved*, That Marten Halenbeck be and is hereby ordered to desist, from the receipt hereof, from Keeping Public House.

Jacobus Houghtaling, who, some time since made his escape from Jail, being now busy enlisting men for the service of the Enemy, and being a dangerous person to the Liberties of America:

*Resolved*, That Major Volkert Veeder be requested to order the said Houghtaling to be arrested and put in Close Confinement till the further order of this Committee.

April 11th—*Resolved*, That Jacob Kidney be and he is hereby ordered every Sunday during Divine service to Patrol the Streets of this City and quell all riots and disturbances, and keep the inhabitants of this City and others to behave decent, for which services he shall be allowed 4/ per day.

*Ordered*, That Colonel Van Schaick be requested to desire Captain Finch to send out a scouting party towards the Salt Springs, in order to discover a plot which it is conceived is making head in that part of the Country.

April 18th—Colonel Schuyler reported that a certain person who had given information against certain disaffected persons, was threatened to such a degree that the Committee of the Manor of Rensselaerwyck had agreed to remove him and his family to a place of safety, and that they also engaged to repay the man any damages he might sustain.

Unanimously approved.

Christian Smith, a person who has been employed in discovering the designs of our internal Enemies, having discharged his duties with faithfulness and success:

*Ordered*, That the Treasurer pay said Smith Eight Pounds for his Services.

May 4th—The Committee having undoubted evidence that Peter S. Van Alstyne and Isaac Van Der Pool are the Ringleaders of the Conspiracy at Kinderhook, and that the said Van Alstyne and Van Der Pool have lately headed a party who fired upon and wounded, a certain Gose Van Beuren, who had in his custody a prisoner:

*Resolved*, Thereupon, that a reward of one hundred Dollars shall be paid by this Committee to such person or persons who shall take the said Van Alstyne, or Van Der Pool, dead or alive.

*Resolved*, That an order issue to the Treasurer to pay unto Edward Davis, or order, one hundred dollars, for his services in discovering a number of Conspirators.

May 19th—Abram Yates having received from the Committee of this State the sum of five thousand pounds:

*Resolved*, The same be paid to Gerrit Lansing, Junr, the Treasurer to this Committee.

June 3d—The names of the new Committee Elected were announced.

*Resolved*, That John Barclay be appointed Chairman; Matthew Visscher, Secretary; Gerrit Lansing, Junr, Treasurer; James Kidney, Messenger, and be paid 6/ per day.

*Resolved*, That the Keepers of the Gaols in this City be immediately ordered to make out lists of the names of the prisoners confined therein, and deliver the Keys of the said Gaols, with the lists aforesaid, to Henry J. Wendell, the Sheriff of this County.

June 19th—*Resolved*, That the public records of this City and County be delivered into the hands of Leonard Gansevoort, Esq.

Abraham C. Van Allen having, since taking the oath of allegiance, declared himself a subject of the King of Great Britain; therefore

*Resolved*, That the said Abraham C. Van Allen be immediately apprehended and put in Close Confinement.

From a letter of David McCarthy and William Adamson, it appears that Conradt A Ten Eyck, after taking the oath of Allegiance, has drank Damnation to the Congress, and beat and abused the wife of the said Adamson. The said Ten Eyck upon his appearance confessed the same; therefore

*Resolved*, That he be confined till Monday next.

The foregoing are given as specimens of the work that largely engaged the Committee; from one to a score of such disloyal persons being arrested and brought before them almost every day.

Colonel Hay, Deputy Quarter Master, appeared before this Committee and informed them that the public business is impeded for want of a bellows to carry on the Black Smith's business, and suggested that Harmen Van Der Zee had one he seldom or never used.

*Resolved*, That if said Van Der Zee does not comply with the request to sell the same, Colonel Hay shall seize the Bellows, and have the same appraised by two indifferent persons, and pay such value to the said Van Der Zee.

Owing to the great want of lead and the scarcity of the same, the Committee resorted to the following as one source of supply:

*Resolved*, That Mr. Isaac D. Fonda be requested to attend the Quarter Master General, or any of his Deputies, in taking all the lead out of the Cesh Windows in the houses in and about this City, and that he use all the Caution in his power to prevent any Damage being done to the Window Cashes, etc., etc., by the means aforesaid.

July 30th—Daniel Campbell and John Sanders, of Schenectady, were arrested for refusing to take continental money.

August 4th—*Whereas*, The approach of the Enemy to the northward has caused a number of families from this County to move into this City, and a number having Milch Cows and no pastures to put them in, and it being suggested to this Board that

Edward and Ebenezer Jessup (who are gone over to the Enemy) have a large tract of pasture land near the City:

*Therefore*, The said families are hereby empowered to put their Cows into the said pasturage, under the inspection of Cornelius Van Deusen, who will permit families of eight or more persons to put in two cows; of less than eight, one cow.

August 10th—*Resolved*, That all inhabitants of this State, who have fled to this City for protection, and have no houses to put their families in, are hereby empowered to use such empty houses in this City as they can find.

Messrs. Jeremiah Van Rensselaer and Matthew Visscher, the Committee appointed to examine the accounts of Gerrit Lansing, Jun<sup>r</sup>, Treasurer, report, That he has produced Receipts for the Sum of £8,658. 18. 3 and that said Treasurer ought to be discharged therefrom.

The said report is hereby confirmed, and the said Treasurer may retain in his hands the sum of £85. 11. 3, as a compensation for his trouble.

Adam Helmer, having, at the risque of his life, come out of Fort Schuyler to give information:

*Resolved*, That he be paid ten pounds as compensation.

Colonel Myndert Roseboom is hereby appointed to provide and issue provisions to such Persons—Refugees—who are not able to support themselves.

August 14th—By minutes of this date, it appears that Leonard Gansevoort was directed by a resolution of the 1st instant to proceed to Kingston, and there deposit the Records of the City and County of Albany.

*Resolved*, That two Companies of Rangers be raised and put under command of Captains Robert Woodworth and George White, to quell Robberies and disloyalty in different parts of this County, the officers to receive Continental pay.

August 21st—Patroon's Island and the farm of Courtlandt Schuyler, deceased, were designated as pasture land for cattle of refugees.

August 27th—The house of James Mather, who was ordered to leave the city, and take his family and affects with him, was this day rented to Abraham Bloodgood, a good and loyal citizen.

August 30th—John Abbott was appointed to keep the town clock in repair.

September 2d—*Resolved*, That the following persons, with their families, be sent to the Enemy in case General Gates should approve of the measure. [Mrs. Abraham C. Cuyler, Henry Cuyler, and several others are named.]

*Whereas*, The Legislative Body of this State are ordered to Convene at Kingston, and a Council of appointment will be chosen by ballot from the Senate to appoint persons to fill the different civil offices in this State; and as the Council may not be fully acquainted with capable persons in the different parts of this County to fill the different offices:

*Resolved*, That it be recommended to the Committees of the different Districts to consult with their Constituents, and inform the Council of the names

of such persons as they think most suitable, that if they meet with the approbation of the Council they may be appointed accordingly.

September 22d—A letter from General Gates states that he expects General Burgoyne will speedily endeavor to come to Albany.

September 29th—*Resolved*, That Doctor Malachi Treat be empowered to take into his possession the house of Abraham C. Cuyler for the Wounded and Sick Officers.

October 9th he was authorized to use any untenanted houses for hospital purposes.

Captain McAlpine having gone over to the Enemy, his furniture, farming utensils and Cattle were seized and sold for the public good.

September 22—Mrs. Cuyler, wife of Abraham C. Cuyler, formerly Mayor of this City, applied for a permit to move to New York City.

*Resolved*, That said permit be granted on condition that she goes at her own expense and delivers an inventory, under oath, of all the effects she was in possession of at the time her and husband went over to the Enemy, and where such effects can be found.

*Resolved*, That the Rev<sup>d</sup> Samuel Swertteger be liberated from confinement upon his entering into Bond in the sum of \$500 for his future good behavior.

November 6th—*Whereas*, This Committee stands indebted to many persons who are in great Distress for want of the money, and as the State Treasury is in a low state:

*Resolved*, That application be made to the Commissioners for Sequestering the Assets of Persons gone over to the enemy in the Middle District of this County, for the said sum of £2,000.

*Resolved*, That Philip Van Rensselaer, Esq., be requested to replace the Lead taken from the windows of the different houses in and about this City.

*Resolved*, That one hundred Dollars be paid unto Major Ezekiel Taylor for apprehending one Jacob Miller.

*Resolved*, That such persons who require to speak with any of the prisoners Confined in Gaol, be permitted to do so through the hole in the Door, in the presence and hearing of the Gaolers, and that the Gaoler be allowed by the person desiring to Speak aforesaid,  $\frac{1}{4}$  as compensation for his trouble.

November 19th—*Resolved*, That a list be made of the well affected persons in this District, and that said list be sent to Peter R. Livingston, with request to deliver to the order of the Chairman of this District a quantity of salt, not exceeding two quarts per Head.

Pay roll of Captain William Winne's Company was laid before this board, amounting to £20. 17. - 6 $\frac{1}{2}$ , which is allowed and ordered to be paid for services performed in apprehending a number of disaffected persons.

November 29th—Harmanus Ten Eyck brought in a charge of £3 10s. for freight on an Iron Stove sent to Fish Kill for the use of the Convention of this State. Ordered to be paid.

December 7th—Jeremiah Vincent having some time ago received from this Committee the sum of ten pounds to perform certain secret services, instead of doing which he went over to the Enemy:

*Resolved*, That one of the two Cows left on the farm of said Vincent be sold and a return made of the said ten pounds, and a return made of the overplus to the wife of the said Vincent, and that this Committee dispose of the other cow.

December 15th—*Resolved*, That William Gilliland be remanded to prison, as proof has this day been made before this Board of his further Inimical Conduct to the United States.

1778—Election of New Committee was held throughout the County of Albany, January 2, 1778.

January 6th—It appearing to this Committee that Daniel David and David Gibson, under the sanction of power given them by the Committee of Sequestration, have taken to their own use, not only the property of Persons gone over to the Enemy, but also such persons as reside amongst us; therefore

*Resolved*, That the said David Gibson and Daniel David be apprehended and put in Close Confinement, unless they find sufficient surety for their appearance before any Court of Jurisdiction to answer said Complaint.

The following Officers are hereby appointed to serve the New Committee, just elected: John Barclay, Chairman; John M. Beeckman, Deputy Chairman; Matthew Visscher, Secretary; Jacob Kidney, Waiter.

In regard to holding a New Election in the District of Cambridge, The Committee are of opinion that a new Election be held, and will appoint a day for that purpose. In respect to the Discrimination of such as are entitled to vote, this Committee would rather submit it to the inhabitants of that District; at the same time they are of opinion that many persons went over to the Enemy through fear, some through the persuasion of artful and designing persons, others through the allurements of gain and the prospect of seeing their oppressed country in the hands of its base Invaders. However, such conduct, be their motives what they may, it is a conduct that will ever be held in detestation by every man that is fired with the love of Liberty or attachment to his injured Country. Notwithstanding the most vigorous efforts of those wretches, many of whom have plunged Their Daggers in the breasts of many of Their Bosom friends, we would remind our Countrymen that the God of Justice has declared Victory in our favor and put many of our Enemies in our Power. The Brave are ever Humane. Let us now Convince our Enemies that we seek not to spill their blood, and that we fight only for that Liberty which God hath conferred upon us. Let us now exercise Mercy (one of the Attributes of Heaven), as far as is consistent with the good or safety of our Country, and by acts of Clemency forgive our offending Brethren, provided they show Signs of Contrition for their past offenses and promise of amendment in future. Those who have

taken the oath of allegiance and perjured themselves, or such as have seduced others from their allegiance to the State, we are of opinion ought not to interfere in our Elections.

January 7th—*Resolved*, That a subscription be set on foot for the use of the Ruined Settlers of our Frontiers.

January 15th—The Committee appointed in the Second Ward delivered to the Chairman £97. 14. 8, being the Collection made in that Ward for the use of the poor.

February 19th—The military authorities having authority to impress Teams and Sleighs wherever found, when they would not hire voluntarily for that purpose, the farmers of the Surrounding Country feared to come to the City, with Wood and other Supplies; therefore

*Resolved*, That no sleighs or horses by which fire wood and other necessities are brought to this City shall be seized or impressed in coming to or going from said City.

March 16th—Moses R. Van Vranken confessed that he had bought Butter for one shilling per pound in Specie, and Sold it for 6. 8. in Continental Currency, for which he was deemed to be dangerous to the State, and put in confinement till further orders.

March 18th—Remembrance Smith Complained to the Board that he had been fined £50 for selling about two gallons of Rum Without License.

March 24th—*Resolved*, That it is the opinion of this Board that £3 per barrel for tar, delivered at Albany, is reasonable, when the persons making the same are excused from Military Duty.

The last entry in that part of the Journal of the Committee that has been preserved, is under date of June 10, 1778, as follows:

*Resolved*, That Gerrit Lansing, Jun<sup>r</sup>, John J. Bleecker, and Stewart Dean, or any two of them, be and they are hereby appointed a Committee to examine and audit the Accounts of this Board, and that they be allowed each 20/ per day, while in actual service, for their trouble and expense; and it is further

*Resolved*, That the said Committee enter upon this necessary business with all dispatch, and that, immediately on the Completion thereof, they Report to this Board.

#### COLONIAL, PROVINCIAL AND CONTINENTAL ASSEMBLIES.

We deem it appropriate to this history to give the names of the officers in these assemblies, of whatever class, that represented Albany County, and some of the local transactions in connection with them.

##### COLONIAL CONFERENCES.

The first movement in New York State, looking toward the union of the colonies against the aggressions of the Crown, was made by the New York Assembly, October 17, 1764. It adopted resolutions approving the resolutions of the New York City merchants relative to the oppressive legislation of Parliament, and directed that a memorial be

forwarded to the Court of Great Britain, assuming the expense of urging it upon the home government. A committee of six was appointed to take the matter in charge, of which Philip Livingston, of Albany, was Chairman.

In 1690, 1754 and 1765, Colonial Conferences were held. The Conference of 1765 was called to meet in the City of New York on the first Tuesday of October then next, to consult together on the present circumstances of the colonies, and the difficulties to which they are and must be reduced by the operation of the Acts of Parliament for levying duties on the colonies. Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware and South Carolina were represented.

The Conference adopted a petition to the King, prepared by Philip Livingston; another to Parliament, by James Otis; and also published a "Declaration of Rights and Grievances," claiming the right of taxation themselves, the right of trial by jury, and the right of petition, by John Cruger.

Albany was represented in this Conference by Philip Livingston.

#### THE PROVINCIAL CONVENTION.

In March, 1775, the several counties in the province of New York elected deputies to a Provincial Convention, to be held in the City of New York on the 20th of April, 1775, for the purpose of choosing delegates to represent the colony in a Continental Congress. This Convention met at the Exchange, in New York City, on the day appointed. Albany was represented in this Convention by Peter R. Livingston, Walter Livingston, Philip Schuyler, Abraham Ten Broeck, Abraham Yates, Jr. Philip Livingston, of Albany, was President. This Convention elected delegates to the Continental Congress, to concert and determine upon such measures as shall be judged most effectual for the preservation of American rights and privileges.

#### STATE OR PROVINCIAL CONGRESSES.

These bodies were what the Assembly subsequently became, the members being elected in the same manner. There were four of these Congresses. The first began in New York, May 22, 1775, and had three sessions, May, July and October. The last session adjourned November 4th.

The Second Congress began November 14, 1775, and adjourned *sine die*, May 13, 1776.

The Third Congress convened May 14, 1776, and adjourned *sine die*, June 30, 1776.

The Fourth Congress convened July 9, 1776, and adjourned *sine die*, May 13, 1777.

The Delegates to these Congresses from Albany were:

*First Congress.*—Robert Yates, Abraham Yates, Volkert P. Douw, Jacob Cuyler, Peter Silvester, Dirck Swart, Walter Livingston, Robert Van Rensselaer, Henry Glen, Abraham Ten Broeck, Francis Nicoll.

*Second Congress.*—Abraham Ten Broeck, Abraham Yates, Jacob Cuyler, Francis Nicoll, Robert Yates, Henry Glen, Peter Silvester, Peter R. Livingston, John James Bleecker, Leonard Gansevoort, Henry Oothoudt, Robert Van Rensselaer.

*Third Congress.*—Abraham Ten Broeck, Abraham Yates, Leonard Gansevoort, John Tayler, Mathew Adgate, John J. Bleecker, Peter R. Livingston, Christopher Yates, John Ten Broeck, Henry Glen, Francis Nicoll.

*Fourth Congress.*—Abraham Yates, Jr., Robert Yates, Robert Van Rensselaer, Matthew Adgate, John Tayler, John Ten Broeck, Abraham Ten Broeck, John James Bleecker, Jacob Cuyler, Leonard Gansevoort, Peter R. Livingston.

#### CONTINENTAL CONGRESS.

The Delegates from Albany County were: Session, April 20, 1775, Philip Schuyler; Session, April 13, 1777, Philip Livingston, Philip Schuyler; Session, March 25, 1778, Philip Schuyler; Session, October 16, 1778, Philip Schuyler; Session, October 18, 1779, Philip Schuyler; Session, September 12, 1780, Philip Schuyler; Session, October 26, 1781, Philip Schuyler; Session, February 3, 1784, John Lansing, Jr., Walter Livingston; Session, October 26, 1784, John Lansing, Jr., Walter Livingston; Session, March 29, 1785, Peter W. Yates; Session, February 27, 1786, Peter W. Yates; Session, January 26, 1787, John Lansing, Jr., Peter W. Yates, Abraham Yates, Jr.; Session, February 2, 1788, Abraham Yates, Jr., Leonard Gansevoort; Session, January 30, 1788, Abraham Yates, Jr.

#### CONVENTION TO FORM THE CONSTITUTION.

The Convention to form a Federal Constitution met May 14, 1787. It was composed of delegates from all the States, with the exception of Rhode Island. Its proceedings were secret, but an account of them was afterwards drawn up from Mr. Madison's notes. George Washington was President. At last a constitution was agreed upon, but only 39 of the 55 delegates signed it. On September 17, 1787, the new constitution was transmitted to Congress, and by it referred to Conventions of the several States for adoption or rejection.

On June 17, 1788, a Constitutional Convention, called for the purpose of deliberating upon the adoption of the Federal Constitution, assembled at Poughkeepsie. It was one of the most important bodies that ever met in this State. George Clinton, Governor of the State, was elected President. The delegates from Albany were John Lansing, Jr., Henry Oothoudt, Dirck Swart, Anthony Ten Eyck, Israel Thompson, Peter Vrooman, Robert Yates. The adoption of the Constitution was violently opposed, and the Convention was a scene of animated and at times angry discussion. But on July 26th, the Convention adopted and ratified the Constitution by a vote of 30 to 27, seven members of the Convention not voting. The following members from Albany voted against it: John Lansing, Jr., Henry Oothoudt, Israel Thompson, Robert Yates. The other members from Albany did not vote.

Governor Clinton, President of the Convention, was also opposed to the Constitution.

The intelligence of the adoption of the Constitution was received with great rejoicing by the people at Albany, and by a vote of the Common Council it was unanimously resolved to celebrate the event in an appropriate manner. The 8th day of August was set apart for the occasion. Every trade and profession united in the jubilee, forming an imposing procession. A description of the procession and the proceedings occupied two pages of the *Albany Gazette* of August 28th. It was in charge of James Farley, Marshal, and moved through Watervliet, Market (now Broadway), to the Federal Bower, a commodious building prepared for the occasion, standing on the Heights west of Fort Frederick, and commanding an extended view of the city. The edifice was 154 feet long, 44 feet wide, and raised on four rows of pillars fifteen feet in height, close wreathed with foliage. Eleven arches were built in front. Above the arches, embowered in festoons of foliage, were white oval medallions, with the names of a ratifying State on each. In this beautiful structure the dinner took place. This over, the procession re-formed and moved down State Street to Pearl, to Columbia, to North Market, to Court Streets, and into a large field south of old Fort Orange, where it was dismissed, by the marching away, at intervals, of the respective divisions.

When the procession reached Green Street, a party of opponents to the Constitution made an attack upon it, and a skirmish ensued. They had procured a loaded cannon and brought it to bear upon the procession. One of the assailants was in the act of discharging it, when Jonathan Kidney sprang from the procession and succeeded in spiking the gun. A company of cavalry in the procession then charged upon the assailants and dispersed them.

There were several outbreaks in the city growing out of the adoption of the Federal Constitution, among which was a general *mêlée* in State Street. Among the combatants were some of the most eminent men of the times; canes, clubs, and cobblestones were used with great freedom, and many persons were more or less injured, but fortunately none fatally.

### THE WAR OF 1812.

This war has been called the Second War with Great Britain, the Last War with Great Britain, and the Second War for Independence. It is usually denominated as written at the heading. It was formally declared June 19, 1812, and closed with a treaty of peace, signed at Ghent December 24, 1814. The brilliant battle of New Orleans, fought under Andrew Jackson, January 8, 1815, occurred after the treaty was made. It was not a day of cablegrams, and the news of peace did not reach this county until February 12th.

The English government was not satisfied with the issues of the revolutionary war; and was disposed to make encroachments upon what were

deemed national rights. Among other things it claimed the right to board and search American vessels for deserting British soldiers and sailors. This claim was exercised in a manner so obnoxious, as to call for most decided remonstrance from our Government. Continued abuses of this kind led to open war.

The public feeling in regard to the expediency of this war was far from unanimous. Indeed, those who took opposite sides in the matter were very bitter towards each other. No such bitterness probably has existed in regard to any other political question, unless it be that of slavery, since the days of the Revolution of 1776. The Democrats, as a party, favored the war; the Federalists opposed it, mostly for commercial reasons. They were called the war party and the peace party. Both, no doubt, were influenced by honest love of country.

The Albany press was divided—Solomon Southwick conducting the Democratic paper, called the *Albany Register*, and Charles R. Webster, the Federalist paper, called the *Albany Gazette*. It is stated that, as an exhibition of party feeling, the office of the *Gazette* was threatened with destruction by the more violent and ignorant democracy of that day. The public were notified by the *Gazette* that every man connected with that office was armed against any mob, and ready for resisting attack at any moment. No attack was made. But many a war of bitter words was fought at street corners and in public places, sometimes resulting in blows. The skirmish on State street, April 21, 1807, when the war controversy was raging, between those two eminent citizens, Governor John Tayler, Democrat, and General Solomon Van Rensselaer, Federalist, shows something of the spirit of parties before and during this war. The trial that followed was published in a pamphlet, and is mentioned in Munsell's edition of Worth's "Random Recollections."

We are sorry to be able to give so little explicit information concerning the military transactions in Albany County during this war. Our examination of the newspapers of the time gives little help; and the Adjutant-General's office does not contribute anything in regard to the formation and officering of companies and regiments for service. This explains the fragmentary condition of this article.

It is quite certain that Albany County was deeply interested in this war, and furnished many officers and men. We insert here an alphabetical list, taken from the "Index of Awards on Claims of the Soldiers of the War of 1812, as audited and allowed by the Adjutant and Inspector-Generals," pursuant to the State Laws of 1859, Chapter 176, in the hope that it may lead some of their descendants to give us reliable information in regard to their services. This is supposed to contain the names of most of the militia from Albany County who enlisted in this war.

Orrin Abbott, Albany; John Adams, Jr., Bethlehem; Joseph Arkles, Bethlehem; Michael Archer, Albany; Chester Atherton, Albany; Ammiel Bar-

nard, Albany; Asabel S. Beens, Albany; Orange Beeman, Berne; Michael Belle, Berne; Henry Benn, Rensselaerville; George Benn, Rensselaerville; Daniel J. Beyea, Jerusalem; Harmanus Bleecker, Jr., Albany; Nicholas Bleecker, Jr., Albany; Adam Blessing, Guiderland; Garritt H. Bloomingdale, Albany; Henry Bunzer, Knox; Matthew Boom, by widow, Albany; William Bunzey, Knox; Cornelius Bounds, Albany; Joseph Bradley, Berne; Adrian Bradt, Albany; Henry P. Bradt, New Scotland; John C. Bradt, Albany; Salvo Brintnall, Albany; John Bussy, Albany; Asa Brown, Jerusalem; Richard Brownell, Berne; Stewart Bull, Coeymans; Abraham Balson, Albany; Calvin Butler, Albany; Henry Cacknard, Coeymans; Daniel Carhart, Coeymans; John Carr, Coeymans; Henry Carroll, Berne; Daniel P. Clark, Albany; William Campbell, Watervliet; Henry Chadwick, Watervliet; Elisha Cheesebro, Guiderland; Jeremiah Clute, Albany; David Cole, Watervliet; Peter Colburn, Albany; James Cole, Cohoes; John Cole, South Jerusalem; Peter M. Conger, Watervliet; William Crandall, Rensselaerville; Edward P. Crary, Knox; Frederick J. Crounse, Guiderland; Philip DeForest, Albany; James W. Dubois, West Troy; Martin Easterly, Albany; Ebenezer S. Edgerton, Albany; Peter V. B. Elmenndorf, New Scotland; Ethel Enos, Watervliet; C. Ertzberger, Albany; Ralph Farnham, Albany; Richard Filkins, Berne; Thomas Fish, Albany; William Forby, Albany; John Fraligh, Westerlo; Christopher Frederick, Guiderland; Luther Frisbie, Albany; William Fuhr, Albany; John J. Fulton, Albany; Joseph Gallup, Knox; Abiel Gardner, Westerlo; Thomas S. Gillet, Albany; Nathan B. Gleason, West Troy; Jonathan Goldwaite, Albany; Daniel Green, Coeymans; Isaac F. Groesbeck, Albany; Abraham Hagaman, Albany; Oliver Hastings, Watervliet; Aaron Hawley, Bethlehem; George Hawley, Albany; Ezra Haynes, Watervliet; Charles Hazleton, Jerusalem; Jesse Helligus, Berne; Josiah Hinckley, Jr., Westerlo; Isaac Hitchcock, West Troy; William Holdridge, Rensselaerville; Elias Holmes, Coeymans; John D. Houghtaling, Albany; Reuben Hungerford, Berne; Walter Huyck, Westerlo; Elisha Ingraham, Berne; Moses Jay, Albany; James Johnson, Watervliet; John Johnson, Albany; Daniel Joshlin, Berne, Albany County; Daniel Joslin, Berne; Sylvanus Kelley, Albany; John Lamoreux, Albany; Nicholas I. Lampman, Albany; Henry Lasee, Watervliet; William Latta, New Scotland; Daniel D. Lawyer, Albany; Jacob Lewis, Albany; Aaron Livingston, Albany; Jacob Loatwall, Albany; Charles Low, Albany; Jeremiah Luther, Albany; Robert McGill, New Scotland; Daniel McIntosh, Albany; John McMicken, Albany; Abraham Martin, Albany; Derrick Martin, Berne; Jacob Martin, New Scotland; Henry T. Mesick, Albany; Thomas Mitchel, Albany; Moses Mowers, Jerusalem; William Muir, Albany; John Myers, Albany; John Newbury, Westerlo; Benjamin Northrop, Albany; Nicholas Osterhout, Berne; Peter Osterhout, Albany; Henry Ostrander, Jr., Guiderland; Henry Pad-dock, Albany; Aaron Palmer, Albany; David D.

Palmer, Berne; Stephenson Palmer, Berne; Anthony Pangborn, Bethlehem; John Parker, Bethlehem; Robert Patten, Albany; John Pier, 2d, Berne; Jacob Place, Albany; Jonas D. Platt, Albany; John Pruyn, Albany; Adam Relyea, Guiderland; Simon Relyea, Albany; William Rhinehart, Berne; Jesse E. Roberts, Watervliet; James Robinson, Albany; John I. Schermerhorn, Berne; Henry I. Schoonmaker, Bethlehem; Courtland Schuyler, Albany; Jacob Scott, Albany; John Scovell, Watervliet; William Scrafford, Bethlehem; Abraham Severson, Albany; John N. Severson, Guiderland; William Seymour, Albany; Israel Shadbolt, West Troy; John F. Shafer, Coeymans; Jacob Sharp, Albany; Peter Shafer, Guiderland; John Shouts, Albany; Stephen Simpson, Watervliet; John Skinkle, Albany; James Sloan, Berne; James Sloan, West Troy; William J. Smith, Albany; Peter H. Snyder, Albany; John Spoor, Albany; Lewis Stiman, Bethlehem; John Stenkle, Albany; Cyrus Stone, Westerlo; John Stone, Albany; George W. Swartwout, Westerlo; Peter Ten Eyck, Albany; Francis E. Thompson, Albany; Thomas Tibits, Rensselaerville; William Truax, Berne; John Turk, Coeymans; Conrad Turner, Jerusalem; David Turner, Watervliet; Henry Turner, Albany; Jacob Turner, West Troy; John Uran, West Troy; Cornelius Van Aiken, Rensselaerville; John Van Antwerp, Albany; Garret I. Vanderberg, Albany; Garret Vanderpool, Bethlehem; Cornelius Van Derzee, Guiderland; Peter Van Olinda, Albany; Cornelius W. Vedder, Albany; Ebenezer C. Warren, Albany; Samuel Warner, New Scotland; Joseph Werden, Watervliet; Jacob White, Albany; John Wilda, Berne; Hezekiah Wilks, Bethlehem; Benjamin Williams, Knox; Henry Williams, Knox; Christian Willmon, Berne; George Wilson, West Troy.

The war was largely fought at our own doors. Stephen Van Rensselaer, known as the "Old Patroon," a Federalist, but a firm patriot and of resolute bravery and great wealth, was appointed Major-General of the Volunteer Militia, by Governor Tompkins. He proceeded, in the autumn of 1812, as ordered, to the invasion of Canada on the Niagara frontier. A strong force of British troops was posted, under General Brock, on Queenstown Heights, opposite Lewistown. A great battle was fought here, October, 13, 1812. The first attack was made by Colonel Solomon Van Rensselaer, with 225 men, in the morning of that day. Bravely advancing, Colonel Van Rensselaer was severely wounded at the outset. Captain John E. Wool, afterwards General Wool, of West Troy Arsenal, pressed on as leader, and gained the Heights by a vigorous assault of the battery. The British were repulsed, and the brave General Brock was killed in attempting to retake the battery. All the efforts of General Van Rensselaer to bring reinforcements across the river were resisted by a majority of his troops, who pleaded that this was not a war of invasion. About a thousand, many of them raw and undisciplined, went over, and were badly cut up or taken prisoners. The General, disgusted by such cowardice, and by the inefficiency of the service

everywhere, resigned his command October 24, 1812, and returned to Albany.

Among the discouragements of this first year of the war, was the surrender of General Hull, at Detroit, August 9th. He was tried by court martial at Albany, in 1814, and convicted of cowardice, and sentenced to be hung; but was pardoned on account of former valiant services in the Revolution, and from a conviction that his surrender was more the result of over-estimating the force of the enemy, and a humane desire to save his men from threatened Indian butchery, than of cowardice.

There were many battles fought along the northern frontier through the war, some of them over the Canada borders. It seemed to be a leading purpose of the Government then in power to subject Canada, as well as to defend our northern lakes from the invaders. Much service was done, much blood shed. The full record would tell of much daring bravery and noble patriotism. We have reason to believe that Albany County soldiers were in most of these engagements. Among them, besides that of Queenstown, were the battle of Ogdensburgh, February 22, 1813; the capture of York, now Toronto, April 27th; capture of Fort George, May 27th; battle at Sackett's Harbor, May 29th; battle at Stony Creek, June 6th; naval battle of Lake Erie, under Commodore Perry, September 10th; battle on the Thames, October 5th; battle of St. Regis, October 23d; battle of Chrysler's Farm, November 11th; burning of Newark, December 12th; capture of Fort Niagara, December 26th; retaliating destruction of Fort Niagara, at Lewiston, Black Rock, Youngstown, and other frontier settlements, December 18th to 30th. In 1814, we record the capture of Oswego, May 5th; Fort Erie, July 3d; battle of Chippewa, July 5th; battle of Lundy's Lane, July 25th; battle of Fort Erie, August 15th; sortie at Fort Erie, September 17th; battle of Plattsburgh, September 6th to 11th.

From old newspapers, and other sources, we gather the fragmentary items that follow, relating to the soldiers of 1812.

When General Stephen Van Rensselaer returned, October 31, 1812, to Albany, after the battle of Queenstown, a large concourse of private citizens and dignitaries turned out to escort him to the city. Major John Lovett was his Secretary, and Colonel Solomon Van Rensselaer, one of the bravest men that Albany ever produced, was his Aid. He was long disabled by four bullet wounds received in this battle. One of the balls he carried in his flesh until his death.

November 8, 1812, Commodore Perry was met by a large body of citizens between Albany and Schenectady, and escorted to Douw's Tavern. From this point he was taken to the Capitol, accompanied by a large procession. Here he was presented with the freedom of the city in a gold box, and with an elegant sword. Then the procession conducted him through the principal streets. On the way, the Hero of Lake Erie was hailed with loud acclamations. At the close of the march, at the Eagle

Tavern he was received by the Mayor and other public officials and assigned apartments. A brilliant ball was held in the evening; houses were illuminated; and the motto, "We have met the enemy, and they are ours," displayed. On the next day an elegant public entertainment was given. He continued his journey to his family, residing in Newport, R. I. The news of Perry's victory was first received in Albany, September 17th, with great demonstrations of joy.

About this time, Captain R. C. Skinner, of the artillery in the Albany Volunteer Regiment, had a recruiting office at Ladd's Coffee House, corner of Green and Beaver streets, for the purpose of completing five companies of infantry, two of riflemen, and one of artillery, which he reported as filling up in the city and county with wonderful success. He stated that the city had raised a fund of many thousand dollars for the benefit of the soldiers who should enlist.

November 28, 1812, the local papers report the return, after an absence of three months on Staten Island, of Captain Bulkley's company of Albany volunteers and Captain Walker's company of artillery. Their soldier-like appearance is highly commended.

Colonel John Mills, of this city, fell in the battle at Sackett's Harbor, May 29, 1813. He commanded the Republican artillery in that battle, with as many militia as he could enlist. He was given a conspicuous place in the line of battle, and fell gallantly in brave, but vain, endeavors to stop his men, who ingloriously fled after the first fire. So says General Jacob Brown, in his report. Many of the men assigned him were raw troops, unaccustomed to subordination. His remains were removed to the city and interred in Capitol Park, May 29, 1844, and finally, with military honors, put to rest, a few years ago, in the Rural Cemetery.

August 15, 1813, the arrival of two hundred British prisoners at the encampment in Greenbush is reported; also, of British deserters from Canada; and the arrival and departure of General Wilkinson on the same day (Sunday), on his way to the frontier.

The British flag taken by Lieutenant Wm. L. Marcy, afterward Governor Marcy, at St. Regis, October 23, 1812, was presented to the State of New York as a trophy of war, January 5, 1813. The act was accompanied with much ceremony; with processions, bands, and speeches, in which were joined the military of Troy and Albany.

At the battle of Ogdensburgh, fought October 12, 1813, under Colonel Forsyth, mention is made of the distinguished bravery of a single company of Albany artillery.

Among the honored names of men who have had homes in Albany County, and who are mentioned as having done service in this war, are found those of Stephen Van Rensselaer, Solomon Van Rensselaer, John Lovett, John E. Wool, John Mills, Colonel Forsyth, and William L. Marcy, already mentioned; also, William J. Worth, John O. Cole, Thurlow Weed, Lieutenant Gansevoort, Lieutenant Rathbone, and Ambrose Spencer, Jr. We shall be

very grateful to any one who may, hereafter add to this list.

On the reception of the news of peace, the whole city was illuminated.

The surviving soldiers of the campaign of 1812, about one hundred in number, residing in New York City, came to Albany by railroad, February 1, 1853, and marched through the city under Colonel Haight, escorted by the Republican artillery. Here, on the next day, they were joined by thirty-eight of their old companions belonging to Albany, and escorted to the Capitol, where they were addressed by Governor Seymour.

A corps of about fifty veterans of the War of 1812 joined in the celebration of American Independence, July 4, 1854, under General John S. Van Rensselaer. After the procession was dismissed, they met in convention at the Capitol and passed a series of resolutions.

### THE WAR WITH MEXICO.

Texas was a part of the domain of Ancient Mexico. When Mexico became a republic, in 1824, it was made one of its united states. It had been claimed by our Government as a part of the Louisiana purchase in 1803; but this claim was not pressed. Texas began to be settled by Americans as early as 1821. It rebelled against the government of Santa Anna, and declared itself an independent state, March 2, 1836. This independence was not admitted by Mexico. On the 4th of July, 1845, it was, with its own consent, admitted as one of the States of our Union. This act caused an immediate rupture between the United States and Mexico. Added to this, our Government had a series of complaints against Mexico for aggressions upon our vessels in the Gulf of Mexico, confiscations, in its own territory, of the property of American merchants, violations of treaty, and other acts of injustice, extending back for a period of nearly forty years. General Taylor was sent at once, with an army of occupation, to Texas to hold and defend it. On the 24th of April, 1846, the first blood was shed in the War with Mexico. The contest, under Taylor, Scott, Wool, Worth, and others, was short and sharp. The treaty of peace was signed February 2, 1848, which gave to the United States, Upper California, New Mexico and adjacent territory, and conceded Texas. The distance of the field of strife was so great, that Albany County had only a small part in the contest, but that part belongs to our history.

An Act of Congress was passed providing that 50 regiments of volunteers should be raised in the

United States for this war. Under the enactment, seven regiments were allotted to the State of New York, but only two were furnished.

The first regiment was raised by Colonel Stevenson in 1846. In this, one company of about 80 members was recruited in Albany, commanded by Captain John B. Frisbie and Lieutenant Edward Gilbert. This regiment, soon after it was formed, proceeded to Governor's Island and remained there about one month, when it was sent to Mexico, by way of Cape Horn, in sailing vessels.

Arriving at its destination, it joined General Scott's division of the army, and participated in all of his marches and battles till the close of the war.

November, 1846, the second regiment of New York volunteers was raised, commanded by Colonel Ward B. Burnett. In this regiment was a company of Albanians, commanded by Captain Abraham Van O'Linda and Lieutenant Adison Farnsworth.

In December of this year, this regiment went to Fort Hamilton, and there remained until the following January, when it proceeded to Mexico by way of the gulf. Landing at Vera Cruz it was joined to General Scott's command, and participated in all his engagements, from the battles of Vera Cruz to the capture of the City of Mexico.

By an Act of Congress in 1847, ten regiments of regular troops were called for from the State of New York.

Under this call the Tenth Regiment of Infantry was formed of ten companies. This regiment was credited to Albany, and contained many soldiers from this city and county, although the greater number were recruited from outside of the county. It was commanded by Colonel Robert E. Temple and Lieutenant-Colonel James McGown. This regiment was joined to General Taylor's division of the army, and remained with him until the close of the War.

The Third Regiment of Dragoons contained a number of soldiers recruited in this section, but no distinct company of Albany men. Such was the case with a number of regiments which served in the Mexican War.

The soldiers from this county, so far as we are able to learn, did good service. A few of them still remain to tell the story of entering the Halls of the Montezumas. Among them is Mr. William L. Burgess, to whom we are under obligations for most of the facts here presented.

The brave Generals John E. Wool and William J. Worth, who were among the most prominent and successful leaders in the Mexican service, were formerly residents of this county.

## WAR OF THE REBELLION.

**T**HIS was a war between citizens of the same country, and has, hence, been sometimes called The Great Civil War. But our heading best expresses its character. It came after a long and exciting controversy between the slave-holding and non-slave-holding States, involving the questions of the moral right or wrong of slavery; the political policy of its extension and perpetuation; and of State rights generally. There was also a bitter jealousy between the Southern and Northern States as to the balance of power between those States, shown in a constant struggle to secure the public offices and patronage. The South was not improving by slave labor; the North was rapidly increasing in wealth and power by free labor.

The Southern States began to secede from the Union and form a Southern Confederacy when they found Abraham Lincoln elected President of the United States. South Carolina was the first in the secession, December 20, 1860. Ten other of the slave States followed. Their artful leaders had accumulated in the forts and arsenals on their borders, a large quantity of the public munitions of war—seized those forts, and put them in the hands of fellow-conspirators.

The attack of the rebels upon Fort Sumter took place April 11, 1861. This overt act was the actual beginning of the war.

Its record is a story of fratricidal strife unparalleled in the world's history, whether we consider the malignity of the seceders, or the determined self-sacrificing patriotism and bravery of the friends of the Union of all the States; or whether we attempt to count the suffering and loss of human life, or estimate the devastation made and the treasure expended. But its results showed the superior value of grand free labor, when conducted by heads educated in free schools and hands addicted to habits of productive industry.

The war practically closed with the surrender of the rebels under General Lee to General Grant, April 9, 1865. What follows is only the merest outline of the part borne by Albany County in this war.

The ladies and citizens of all classes, under different voluntary organizations, did a vast amount of labor, and expended great sums of money for the comfort, encouragement, and relief of the soldiers and their families during the whole time of the war.

The Citizens' Military Relief Fund contributed \$20,479.

The Ladies' Army Relief Association was organized in Albany, to co-operate with the U. S. Sanitary Commission, as early as November, 1861, to aid sick and wounded soldiers. Similar societies existed in Coeymans, Rensselaerville, Knox, and other towns in the county. Useful articles were

made or purchased, and forwarded in barrels and boxes continually. At one time 287 were sent; at another about 600. Fruit, vegetables, and cordials, and delicacies of every sort were gathered from farm-houses, grocers, and families, and included in the benefactions. This local association of ladies raised also \$19,212.30 in money during the four years ending January 1, 1866, for disabled soldiers and their families.

The Army Relief Bazaar was erected in the Academy Park, and kept open as a great Sanitary Fair of Albany, Troy, Schenectady, and other places in the State, during the months of February and March, 1864. It was a building remarkable for size and fitness. It was filled with articles of utility and beauty on sale. Everything was conducted with order, zeal, and energy. It was a grand success. The net proceeds, amounting to \$81,908.50 were paid into the treasury of the U. S. Sanitary Commission.

The Albany Auxiliary to the U. S. Christian Commission, between April 1, 1864, and January 1, 1866, received \$23,740.20 in money, besides a great amount of books, papers, provisions, delicacies, and minor articles of convenience made in sewing circles, which were contributed for the spiritual, social, and physical needs of the soldiers.

A Refreshment Committee fed 16,709 soldiers as they passed through Albany in coming or going. Their expenses were over \$7,600.

Besides these, much time was spent and thousands of dollars in money were given by private citizens. And the deeds of heroic patriotism and Christian charity done by gentlewomen, never can be fully expressed in words.

The War Expenses of the County of Albany are stated as follows:

For County Bounties.....	\$3,100,700.00
For Recruiting and Enlistments.....	225,125.39
Total .....	\$3,325,825.39
Raised by County Taxes.....	\$641,441.47
Raised by County Loans .....	2,889,552.00
Total .....	\$3,930,993.47

We now give a brief record of military service organized in the county. We would be glad if we could give the names and services of every soldier.

On April 16, 1861, the day following President Lincoln's call for 75,000 men to suppress the rebellion, the Legislature of New York State passed an Act to authorize the embodying and equipment of a volunteer militia, and to provide for the public defense. One week later, 155 companies were recruited in this State, and ready for acceptance into service. The number of men furnished by the State under each call was as follows: Call for

militia, April 15, 1861, 13,906; call for volunteers, July 22, 1861, 120,231; July 2, 1862, 59,705; August 4, 1862, 20,980; October 17, 1863, and February 1, 1864, 75,751; March 14, 1864, 44,435; July 18, 1864, 83,843; December 19, 1864, 32,965; militia for 100 days, 5,640; for less than 100 days, 15,987. Whole number militia, 35,533; whole number of volunteers, 437,910. Total, 473,443.

The first regiment in Albany County to respond to the Governor's order, issued on the evening of April 21, 1861, to move on to Washington next morning at nine, was the Twenty-fifth Regiment, N. Y. State Militia. It was officered as follows: Michael K. Bryan, Colonel; James Swift, Lieutenant-Colonel; David Friedlander, Major; John M. Kimball, Adjutant; Cornelius B. O'Leary, Surgeon. Captains: Company A, Jacob Fredendall; B, Timothy McDermott; C, John Gray; D, Frank Marshall; E, J. J. Huber; F, M. H. Kenneally; G, H. Mulholland; H, — Godfrey; K, Hale Kingsley; L, F. Newdorf. With 479 men all told, the regiment proceeded to Washington, arriving on the morning of the 29th, and was quartered near the Capitol. Ordered to Arlington Heights, the regiment built Fort Albany, and after three months' service, returned to Albany, numbering 575 men. May 31, 1862, the regiment was again mustered into the United States service for three months, and ordered to Suffolk, Va. On its return, Colonel Bryan and many of its officers and men enlisted in the volunteer service. Colonel Michael K. Bryan, born in Ireland in 1820, came to Albany in 1827, and was educated in the public schools. He was for many years in the employ of his cousin, Colonel John McCardle, but became proprietor in 1853 of a restaurant and hotel. In 1850 he was Captain of Albany Worth Guards; and was successively Major, Lieutenant-Colonel, and Colonel of the 25th N. Y. S. M., which he led twice in his country's service. He afterwards raised the 175th Regiment, N. Y. Volunteers, and was made its Colonel, and proceeded to Louisiana early in the winter of 1862. He was mortally wounded in a charge at Port Hudson, La., June 14, 1863, and died at the head of his command. He was a noble patriot.

Third Regiment Infantry, N. Y. S. V., was organized in Albany, May 7, 1861, and was composed of ten companies, of which five were recruited from Albany, viz.: C, Captain E. G. Floyd; E, Captain J. W. Blanchard; F, Captain H. S. Hulbert; G, Captain J. H. Ten Eyck, Jr.; I, Captain E. S. Jenny. May 8th, Frederick Townsend was elected Colonel, S. M. Alford, Lieutenant-Colonel, and George D. Bayard, Major. Alexander H. Hoff was made Surgeon, and Jonathan O. Moore, Adjutant. The regiment left Albany May 18, 1861, with 796 officers and men; was in the engagement at Big Bethel, and afterwards stationed at Fortress Monroe, until its term of enlistment expired. May 8, 1863, it went into service as a veteran command, with 800 men; received 700 conscripts, 200 recruits, and, by consolidation, the 112th N. Y. Volunteers. It did distinguished service at Fort Wag-

ner, Charleston, Bermuda Hundred, Petersburg, Fort Gilmer, Fort Fisher, Wilmington, and in many skirmishes. Colonel Townsend resigning July 2, 1861, the regiment continued in service under Colonel Alford, and was mustered out August, 1865. Colonel Townsend has since been Adjutant-General of the State, and still resides in the city, one of its most esteemed citizens.

The Forty-third Regiment, New York Volunteers, was organized at Albany and mustered into the United States service between August 25 and September 21, 1861, when it reached the field, with the following commissioned officers: Francis L. Vinton, Colonel; Charles H. Pierson, Lieutenant-Colonel; Benjamin F. Baker, Major; James H. Thompson, Surgeon; James H. Bogart, Adjutant. Captains: Company A, John Wilson; Company B, I. R. Van Slyke; Company E, E. Cass Griffin; Company D, Charles H. Clark; Company E, Jacob Wilson; Company F, James C. Rogers; Company G, William H. Mathews; Company H (Yates Rifles), Edwin C. Drake; Company I, George W. Reed; Company K, Harvey S. Chatfield; Captain Charles B. Mitchell, 1862; Captain John L. Newman, 1862; Captain David Burhans, 1862; Captain James D. Visscher, 1862. The regiment left Albany September 16, 1861, with 706 men; received 1,621 recruits, and returned in July, 1865, with 290 men and 13 officers. It was at the front all through the war; was distinguished for dash and courage; and was in the following engagements: Lee's Mills, Warwick Creek, Siege of Yorktown, Golding's Farm, Seven Days' Battles, Antietam, Fredericksburg, Mary's Heights, Salem Church, Banks' Ford, Fredericksburg, Gettysburg, Rappahannock Station, Locust Grove, Mine Run, Wilderness, Spottsylvania, North Anna, Coal Harbor, Petersburg, Fort Stephens, Charleston, Opequam, Fisher's Hill, Cedar Creek, Petersburg (two engagements), Sailor's Creek.

Among those who fell was Major (afterwards Colonel) James Henry Bogart, who was born March 24, 1839, in Albany; was educated at Albany Academy. Enlisted under Colonel Vinton as Adjutant; was Major in the 162d, and was killed by a shell while advancing with his regiment at Port Hudson, June 14, 1863. Captain (afterwards Colonel) John Wilson, born in Albany December 29, 1838; educated at Albany Academy; was proficient in scholarship; raised Company A of the 43d in a week, and marched to the barracks August 3, 1861. He was commissioned as Major, July 17, 1862; Lieutenant-Colonel, September 24, 1862; Colonel, February 1, 1864. May 6, 1864, his right knee was shattered by a rifle ball; his leg was amputated next day; and he died May 8th, greatly lamented.

Captain (afterwards Major) William Wallace; born in Albany January 8, 1835; educated in public schools; was foreman in Weed, Parson & Co.'s office; active in the Fire Department; raised Company F for the 43d Regiment in September, 1862; was confined in Libby Prison in May and June, 1863, until exchanged. He was commissioned Major, April, 1864. While leading a charge at the Battle of the Wilderness, May 6, 1864, was shot through

the head. In the same engagement Lieutenant Colonel Fryer was mortally wounded. Both sleep among the bravest of the brave.

Captain David Burhans, Company H, was born in Bethlehem June 24, 1840; became mail agent from New York to Troy. In September, 1862, he raised a company for the 43d, and was with his regiment until he fell, fighting at the front, at Po River, May 10, 1864. He was esteemed for exalted virtues.

Captain (afterwards Colonel) James D. Visscher was born in Albany March 26, 1829; was in employ of Weed, Parsons & Co.; was member of the Burgeses Corps and went with them, and 25th Regiment New York State Militia, in April, 1861, to Washington for three months' service. He enlisted and took command of Company G, 43d Regiment, September 4, 1862; was promoted Colonel of the regiment after the battle of the Wilderness, May 12, 1864; and was killed at Fort Stevens, Washington, July 12, 1864. He was beloved for his Christian virtues and soldierly conduct.

Captain Douglass Lodge, son of Mr. Benjamin Lodge, born in Albany September 22, 1842; attended public schools, the Academy, and Annapolis Naval School. He enlisted in Company B, 25th New York State Militia, in April, 1861; re-enlisted in 43d Volunteers; Third Sergeant, Company A. He was promoted, for bravery, to Quartermaster-Sergeant, September, 1861; Second Lieutenant, April, 1862; First Lieutenant and Captain, November 3, 1862. At the charge on Mary's Heights, May 3, 1863, Captain Lodge planted the regiment's colors on the enemy's works. On the following day he received his death wound. This young soldier died, greatly beloved and honored, May 5th.

The Tenth Regiment National Guards was organized at Albany in 1861, early in the rebellion, and performed guard and other duty at the call of Governor Morgan. It tendered for the third time its services for nine months; went into service November 21, 1862, with 864 men, officered as follows: Ira W. Ainsworth, Colonel; Frank Chamberlain, Lieutenant-Colonel; David M. Woodhall, Major; Richard M. Strong, Adjutant; William H. Craig, Surgeon. Captains: Company A, Lionel U. Lenox; Company B, Charles E. Davis; Company C, Stephen Bronk; Company D, James Dodds; Company E, James McFarland; Company F, James R. Harris; Company G, Morgan L. Filkins; Company H, Harmon N. Merriman; Company I, E. H. Tomlinson; Company K, William H. Brandenburg. It was assigned to General Banks, Department of the Gulf, as the 177th New York Volunteers. It served in the campaigns from New Orleans to Port Hudson, and did some of the best fighting at the latter place, suffering severely.

On the fall of Port Hudson, and at the close of its nine months' service, it returned home and resumed its original position in the Ninth Brigade National Guard.

Among those of the 177th who fell in the field were—

Adjutant Richard M. Strong, son of Anthony M. Strong; was born in Albany June 10, 1835, and died at Bonnet Carré, La., May 12, 1863. He had graduated with honor at Albany Academy and Princeton College; was admitted to the Bar in 1856; was Judge Advocate of the Ninth Brigade National Guard, and Adjutant 177th Volunteers, at the time of his death.

Lieutenant John Peter Phillips, Company F; born in Fishkill July 25, 1820; when 16 removed to New York, afterwards to Albany. Went with the Tenth Regiment to Louisiana; contracted fever, and died September 4, 1863, four days after his return home.

Sergeant Charles H. Frederich, born in Albany October 23, 1841; attended public schools. Enlisted in Company B, Tenth National Guard; died of typhoid fever at Bonnet Carré, La., March 10, 1863.

Sergeant Joseph C. Vanderhoop, born July 25, 1843, in Albany; was a marble cutter. Joined Company B, 25th Militia, and went with that regiment to Washington, April, 1861. May 23d, Sergeant Vanderhoop captured two prisoners, supposed to have been the first taken in the War for the Union. He enlisted in the 177th Regiment, and died of typhoid fever in Louisiana.

Sergeant William Crounse, born in Guilderland, September 19, 1830; came to Albany in 1855. Enlisted in the Tenth National Guard; went to Bonnet Carré, La., where he died June 28, 1863.

Forty-Fourth or People's Regiment.—After New York's quota under the first call had been filled, it was deemed advisable to ask each town and ward to be represented by furnishing one man, armed and equipped by voluntary subscription, to form a Zouave regiment to avenge the death of Colonel Ellsworth, and serve during the war. It was organized October 16, 1861, and left October 20th for the seat of war, 850 strong, composed largely of Albany City and County men. Its officers were as follows: Stephen W. Stryker, Colonel; James C. Rice, Lieutenant-Colonel; James McKown, Major; William Frothingham, Surgeon; Edward B. Knox, Adjutant. Captains: Company A, Edward P. Chapin; Company B, L. S. Larabee; Company C, William H. Revere, Jr.; Company D, Freeman Conner; Company E, Michael McN. Walsh; Company F, Campbell Allen; Company G, William L. Vanderlip; Company H, William N. Danks; Company I, A. Webster Shaffer; Company K, William H. Miller. Captain Rodney G. Kimball, 1862; Captain B. Munger, 1862. The regiment was mustered in September 24, 1861, and served at Yorktown, Hanover Court House, Gaines' Mills, Turkey Island, Malvern Hill, Groveton, Antietam, Fredericksburgh, Chancellorsville, Aldie, Gettysburg, Jones' Cross Roads, Rappahannock Station, Mine Run, Wilderness, Spottsylvania Court House, North Anna, Bethesda Church, Petersburg, and the Weldon Railroad. The regiment was mustered out September 24, 1864, and returned 170 in number. During its service upwards of 700 recruits joined its ranks.

The following, among others in the regiment, died in service—

Lieutenant-Colonel (afterwards Brigadier-General) James C. Rice; born in Worthington, Massachusetts, 1828; graduated from Yale College, 1853; studied law; enlisted April, 1861; did brave service and was transferred to the 39th New York Volunteers Garibaldi Guards; commissioned First Lieutenant, then Adjutant; he was appointed Lieutenant-Colonel of the Forty-Fourth; went to the front; was promoted Colonel; and finally was made Brigadier-General for gallant conduct at Gettysburg. He was killed at Spottsylvania, Va., May 10, 1864. A devoted patriot, a sincere Christian. His last words were, "Turn me over that I may die with my face to the foe." Sergeant Walter H. Angus, born June 10, 1845; enlisted October 21, 1861, in the Forty-Fourth; was in all engagements with his regiment, escaping unhurt until the fatal shot. Was promoted Second-Lieutenant October 9, 1863; killed at Petersburg June 21, 1864.

Ninety-first Regiment, New York Volunteers, was raised in the autumn of 1861, mostly in Albany, and was called into the United States' service for three years, December 16, 1861, with 847 names on the roll. It left Albany December 20th, and Governor's Island January 8, 1862; arriving at Key West, January 20th. The officers were as follows: Jacob Van Zandt, Colonel; Jonathan Tarbell, Lieutenant-Colonel; Charles G. Clark, Major; Robert F. Keeven, Adjutant; Robert Morris, Surgeon. Captains: Company A, John W. Felthousen; Company B, George W. Stackhouse; Company C, J. G. McDermott; Company D, Henry Crounse; Company E, William Lee; Company F, John Cooke; Company G, Allan H. Jackson; Company H, J. B. Collins; Company I, Charles A. Burt; Company K, Henry S. Hulbert. The Ninety-first was stationed at Pensacola seven months; went to New Orleans under General Banks. Was in three engagements at Port Hudson, Irish Bend, Bayou Vermilion, Gonzales' Plantation, and many skirmishes. It suffered severely. Returned home July 19, 1864. Nearly all re-enlisted. It was stationed six months near Baltimore, and recruited 1,600 strong. In February, 1865, it was assigned to First Brigade, Third Division, Fifth Army Corps, Army of the Potomac, before Petersburg. Was in the battles of White Oak Ridge, Five Forks and many minor engagements.

The following are among those who fell in battle:

Major George W. Stackhouse, enlisted 1861; Second Lieutenant, Company A, 25th New York; promoted Captain and Major 91st New York, March, 1863. Died June 19, 1863, from gunshot wounds. His two brothers, James and William, were with him at Port Hudson.

Captain John A. Fee, born in Albany, January 16, 1837. Enlisted October, 1861; appointed Orderly-Sergeant; promoted Second-Lieutenant 48th New York. Was Commandant at Tybee Island until April, 1863. Promoted Captain, April, 1863; ordered to Army of the Potomac. Was in

battles of Chester Hill, Drury's Bluff, Coal Harbor. He was wounded in the arm June 30, 1863, and died July 15th.

Lieutenant William P. Clark, born in Water-vliet, January 27, 1835; educated in common schools of Albany. Enlisted in April, 1861; served three months with 25th New York State Militia; re-enlisted in September, 1861; served until April 14, 1863, when he was shot through the head at Irish Bend, La.

Lieutenant Sylvester B. Shepard, born in Albany, July 25, 1841. Was in Burgesses Corps, and with 25th New York State Militia, in its three months' service. Recruited Company C, 91st New York Volunteers. Appointed Second-Lieutenant, promoted First-Lieutenant, and appointed Adjutant. He was killed at Port Hudson, June 14, 1863, while in command of his Company.

Eleventh New York Havelock Battery was organized at Albany, October 26, 1861; mustered in January 6, 1862, with 158 men and the following officers: A. A. Von Puttkammer, Captain; R. A. Warrington, First-Lieutenant; James Rodgers, First-Lieutenant; G. A. Knapp, Second Lieutenant; John E. Burton, Second Lieutenant. The battery left Albany January 17, 1862. Was engaged in the following battles: Second Bull Run, Fredericksburg, Chancellorsville, Gettysburg, Mine Run, Spottsylvania Court House, North Anna River, Tolopotony Creek, Coal Harbor, Petersburg, and Deep Bottom. It was engaged about every day, from September, 1864, till Lee's surrender, April 9, 1865.

The following are among those who fell in action:

Lieutenant Henry D. Brower, born in Albany November 12, 1839. Raised first installment of men for Havelock Battery; mustered in as private, October 1, 1861; transferred to 12th Battery as Corporal; promoted Lieutenant, March 30, 1863. Was killed at Reams' Station, August 25, 1864. Sergeant John R. Warrington was killed at Chancellorsville, May 3, 1863. Corporal William H. Van Gaasbeek was killed at Coal Harbor, June 6, 1864. Corporal William H. Broughton was killed at Petersburg, September 28, 1864.

One Hundred and Thirteenth Regiment, N. Y. Volunteers, or Seventh Regiment, N. Y. Volunteer Artillery, was organized as the Albany County Regiment in the 13th Senatorial District, under the auspices of the following committee, appointed by Governor Morgan, viz.:

Hon. Eli Perry, General J. F. Rathbone, Hon. Lyman Tremain, J. Tracey, T. W. Olcott, George Dawson, Hon. C. B. Cochrane, Hon. J. V. L. Pruyn, Hon. Franklin Townsend, Samuel Anable, W. M. Van Antwerp, Hon. George H. Thacher and Hon. Henry A. Brigham. The first man was enlisted July 24, 1862. Over 1,100 men were mustered in August 18, 1862, with the following field and staff officers:

Colonel, Lewis O. Morris; Major, Edward A. Springstead; Adjutant, Frederick L. Tremain; Quartermaster, E. Willard Smith; Surgeon, James E. Promfret; Assistant Surgeons, J. W. Blaisdell,

George W. Newcomb; Chaplain, Humphrey L. Calder. Captains: Company A, Joseph M. Murphy; Company B, Samuel E. Jones; Company C, John A. Morris; Company D, Charles McCulloch; Company E, Norman H. Moore; Company F, Robert H. Bell; Company G, Francis Pruyn; Company H, John McGuire; Company I, William Shannon; Company K, Samuel L. Anable.

Lieutenants: Company A, A. Sickles, 1st, John B. Read, 2d; Company B, J. Kennedy, 1st, William E. Orr, 2d; Company C, H. N. Rogers, 1st, M. Bell, 2d; Company D, C. Schurr, 1st, H. C. Coulson, 2d; Company E, A. V. B. Lockrow, 1st, J. F. Mount, 2d; Company F, N. Wright, 1st, R. Mullens, 2d; Company G, S. McEwan, 1st, C. W. Hobbs, 2d; Company H, H. C. Ducharme, 1st, F. Pettit, 2d; Company I, J. O. Hair, 1st, J. M. Ball, 2d; Company K, M. H. Barckley, 1st, G. Krank, 2d.

The regiment left Albany August 19, 1862. Was stationed in the defenses of Washington. Changed, December, 1862, from infantry to artillery, and designated as Seventh N. Y. Volunteer Artillery. It was recruited to 152 men in each company. It built, reconstructed and cleared timber before the following works, and garrisoned them: Forts Reno, De Russey, Kearney, Gaines, Bayard, Ripley, Franklin and Alexander; Batteries Smead, Reno, Cameron, Vermont and Martin Scott.

In spring of 1864, two companies were added, with officers as follows—Captains: Company L, James Kennedy; Company M, George H. Treadwell. Lieutenants: Company L, F. W. Mather, 1st, C. C. McClellan, 2d; Company M, G. B. Smallie, 1st, E. S. Moss, 2d.

May 17, 1864, the regiment joined the Army of the Potomac, near Spottsylvania Court House, Virginia. Was engaged in the battles of the Po River, North Anna River, Tolopotony Creek, Coal Harbor, Petersburg, Deep Bottom and Ream's Station. It suffered severely, and was greatly reduced in numbers. February 22, 1865, the remnant was ordered to Baltimore, till mustered out June, 1865.

Colonel Lewis Owen Morris, born in Albany, August 14, 1824; studied at Albany Academy. In 1847 was commissioned Second Lieutenant in the First Artillery, U. S. A., and went out to Mexico. Afterwards he was in constant service in Florida, or on Texan frontier. May, 1861, he was in command of Fort Brown, Texas. Refused to surrender or give up United States property to the Southerners. Was in service at Roanoke and Newbern, and captured Fort Macon. In 1862 he took command of the 113th N. Y. Volunteers, which he retained until killed by a rebel sharpshooter, June 3, 1864.

Major Edward A. Springsteed, born in Albany, January 31, 1840. Commissioned First Lieutenant 43d N. Y. Volunteers, August 17, 1861; Captain, 113th N. Y. Volunteers; promoted Major. Commanded at Forts Kearney and De Russey. Commanded 2d Battalion at Lauren's Hill, Spottsylvania, North Anna, Coal Harbor, Milford Station. Had been promoted Colonel. He was killed, while leading his men, at Ream's Station, August 25, 1864, before his commission reached him.

Captain James Kennedy, born in Albany, February 15, 1833. Was commissioned First Lieutenant, Company B, 113th Volunteers, August 4, 1862; promoted Captain, Battery L, February 12, 1864. Wounded at Coal Harbor, June 3d, at Ream's Station, August 25th, and captured. Died in Libby Prison of typhoid fever, September 10, 1864.

Captain John A. Morris, a native of Albany, born August 31, 1835. Was member of Company B, Washington Continentals; mustered into United States service August 7, 1862, as First Lieutenant, Company C, 113th Volunteers; promoted Captain, August 19th. Was in constant service until May 19, 1864, when a bullet pierced his heart at Spottsylvania Court House.

Captain Nathaniel Wright was a native of Kirtland, O. When seventeen, came to Albany as clerk. Enlisted in the 113th; mustered in, August 11, 1862, as First Lieutenant. Sent to Albany to recruit regiment, 1863; returned to field and was shot dead at Ream's Station, August 25, 1864.

Captain Robert H. Bell, born in Lancashire, England; came to America when nineteen. Was foreman of Company No. 8, Albany Fire Department. Served three months with 25th N. Y. Militia; raised company for the 113th, and was commissioned Captain. Was wounded May 19, 1864, at the Wilderness, and died June 20th.

Lieutenant William Emmet Orr, born in Albany, September 12, 1841; studied at Rochester University. Was commissioned Second Lieutenant, Company B, 113th N. Y. Volunteers, August 7, 1862; promoted First Lieutenant, Company F, January, 1864. A. A. A. G., on Colonel Morris' staff. Died June 2, 1864, from wound received at North Anna River.

Lieutenant James H. Morgan was a native of Albany; studied law. Commissioned First Lieutenant, Company G, 18th N. Y. Volunteers, 1861; re-enlisted in Seventh N. Y. Volunteer Artillery. Taken prisoner at Ream's Station, August 25, 1864. Died at Salisbury, N. C., November 21, 1864.

Lieutenant Michael H. Barckley, born in Knox, November 15, 1840; graduated Union College, 1862. Raised a Company in Knox and was commissioned First Lieutenant Company K, 113th Regiment. He went with his regiment through all its engagements. Was wounded at Coal Harbor, and died July 6, 1864.

Lieutenant Charles S. Evans, born in Rensselaerville, November 10, 1840. Enlisted, August 2, 1862, Company K, 7th Volunteer Artillery; promoted Lieutenant Company I. June 5, 1864, he was killed at Coal Harbor, buried there, and his body never found afterwards.

Lieutenant Charles L. Yardsley was born in West Troy, May 19, 1843. Enlisted August 13, 1862, Company H 113th New York Volunteers; was promoted Orderly Sergeant and Lieutenant April 15, 1864. He was killed at Petersburg, Va., June 3, 1864, while leading the charge of Company G.

Lieutenant John B. Read, Adjutant 7th New York Volunteer Artillery; was born October

8, 1830, at Stuyvesant, N. Y. Helped raise a Company for 113th Regiment, and was commissioned Second Lieutenant Company A, August 4, 1862. Was wounded at Coal Harbor, and left within the enemy's lines.

Sergeant James S. Gerling was born in England October 7, 1845. Came to America when nine years old. Enlisted July, 1862, in the 113th Regiment; promoted Corporal and Sergeant. Wounded in the Wilderness June 3, 1864, again August 24th, and died October 8, 1864.

Sergeant George Sanders was a native of England; came to Albany when fourteen years old. Enlisted August 1, 1862, Company D 113th Regiment. He was wounded in the head by a shell at Coal Harbor, and died in hospital June 18, 1864. He was promoted Corporal, April 11, 1863, and Sergeant, January 24, 1864.

Sergeant William H. Bell was born in Berne March 28, 1841. Enlisted August 18, 1862, Company K, 113th Regiment. He died in the service, March 15, 1864.

#### SUPPLEMENTARY NOTICES.

Colonel Edward Frisby was born in Trenton, N. Y., August 3, 1809. When seventeen, came to Albany; was a hatter. At eighteen he was Corporal in a Militia Company; promoted Ensign, 89th Infantry, September 2, 1831; Captain, August, 1833; Major, March, 1835; Lieutenant-Colonel, September, 1839; Colonel, August, 1841. He was Colonel of 25th Militia Regiment, and Brigadier-General 11th Brigade, N. Y. S. M. He went to the front with the 25th Militia Regiment, April, 1861; returned and raised the 30th New York Volunteers, and was commissioned Colonel. The Regiment left Albany June 27, 1861. He was killed at Second Bull Run battle, August 28, 1862.

Lieutenant-Colonel Frederick Lyman Tremain, son of Hon. Lyman Tremain, was born in Durham, N. Y., June 13, 1843. He attended Albany Academy, Anthony's Classical Institute, and Hobart College. He enlisted in 113th Regiment, raised a Company and was promoted Adjutant; he was transferred to First Brigade, Third Division of the Cavalry Corps; afterwards to Second Cavalry Division, Second Brigade. He was in all the engagements with his division under General Sheridan in the Wilderness, Todd's Tavern, Childsburg, Meadow's Bridge, Richmond Heights, Haw's Shop, Spottsylvania, St. Mary's Church, Ream's Station, Malvern Hill, Lee's Mills, and others. He was made Lieutenant-Colonel of 10th New York Cavalry, and was wounded at Dabney's Mills February 5, 1865, and died three days later.

Captain Harmon N. Merriman, born in Franklin, Pa., September 19, 1819; was a lawyer. Helped raise the Tenth Regiment; was Captain Company H; was wounded at Port Hudson May 27, 1863, while leading his company, and died on his way home July 15, 1863.

Captain John McGuire was born in Ireland in 1829. Came to Albany in 1845; was Sergeant of

the Albany Worth Guards; enlisted in 25th New York Militia and served with the Regiment in 1861 and 1862. September, 1862, he joined 175th New York Volunteers; was appointed First Lieutenant and promoted Captain. He served with Regiment at Port Hudson, in Shenandoah Valley, and North Carolina, where he was killed by guerrillas April 15, 1865.

Lieutenant James Williamson was born in Scotland October 2, 1829. Was First Lieutenant 10th Regiment, New York State Militia, July 8, 1861. When the Regiment was changed to 177th New York Volunteers, he was appointed First Lieutenant Company H. He was in battles of Ponchatoula and Port Hudson. At the latter he was killed May 27, 1863, while leading a charge.

Orderly-Sergeant Peter M. Shaler was born in Scotland March 11, 1842. Came to America at the age of 10 and to Albany in 1858. He joined 10th Regiment, New York State Militia. Went to war with this Regiment. Was wounded March 24, 1863, at Ponchatoula, La., and died July 18, 1863.

Sergeant Alexander D. Rice was born in Albany April 10, 1837. Enlisted August 6, 1862, in Company C, 7th New York Heavy Artillery, and promoted Sergeant. He was wounded June 3, 1864, at Coal Harbor, and died June 28th.

Sergeant Andrew T. Hotaling, Company A, was born in New Baltimore July 23, 1838. Enlisted in Company A, 7th New York Artillery, November 7, 1862; promoted Corporal, December 1, 1862; Sergeant, May 1, 1863. He was wounded at Petersburg June 22, 1864, and died in hospital July 26, 1864.

Sergeant Paul Quay was born in Knox July 30, 1841. Enlisted in the 7th Regiment August 1, 1862; taken prisoner June 16, 1864; sent to Andersonville, afterwards to Milan, where he died in prison.

Our space admits of no more extended notice of the noble part acted by Albany County in the cruel War of the Rebellion. We are indebted to Dr. Clark's "Heroes of Albany" for most of our facts, which we have been obliged to express here in a very condensed form.

In the history given in this volume of the Lew Benedict Post, George S. Dawson Post, and Lewis O. Morris Post, of the G. A. R., will appear honored names of some other men of patriotic hearts and brave deeds, who came back from that fearful struggle to dwell with us, and carry on still longer the battle of life as useful citizens. Some others will also appear in the history of our local military organizations.

To one who wishes to know more of these men, and to keep their names and deeds in lasting remembrance, we commend the observance of Decoration Day, when soldiers and citizens unite in processions, and proceed to decorate with flowers the soldiers' graves in Rural Cemetery and other last resting places of the dead patriots in this vicinity. May this custom, and the other appropriate ceremonies of the day, long be annually observed!

## WEST POINT CADETS.

The following list, obtained from the Adjutant-General in the War Department at Washington, under date of June 18, 1855, contains, so far as can be ascertained from the records of this department, the names of cadets admitted to the U. S. Military Academy at West Point, from Albany County, N. Y., since 1815:

\*Dudley W. Allanson, 1818; William Bloodgood, 1819; Stephen V. R. Ryan, 1821; Horace Smith, 1821; John R. B. Gardenier, 1823; Abraham Van Buren, 1823; \*Isaac P. Van Antwerp, 1823; \*Burritt Shepherd, 1824; Chileab S. Howe, 1825; Henry Van Rensselaer, 1827; Daniel P. Whitney, 1828; \*Richard Ten Broeck, 1829; \*Edward Elliott, 1829; Archibald Campbell, 1831; John Bratt, 1833; John Hillhouse, 1838; Egbert L. Viele, 1842; Albert J. S. Molinard, 1847; \*Thomas E. Collins, 1851; \*Henry S. Hulbert, 1853; \*George T. Peckham, 1854; William H. Harris, 1857; James F. Gregory, 1861; Leonard G. Hun, 1865; Henry P. Walker, 1869; \*Theodore P. Bailey, 1875; Daniel E. McCarthy, 1877; Frank De W. Ramsey, 1881; †William G. Thompson, 1885.

The establishment of a U. S. Military Academy at West Point was recommended by George Washington in 1793. It was established by Act of U. S. Congress, March 12, 1802, and organized in 1812.

## SPECIAL OFFICERS CONNECTED WITH SOME OF THE INDUSTRIES OF ALBANY COUNTY.

Chapter XL, Laws of 1784, enacts that no pot or pearl-ashes shall be shipped for exportation until inspected by a properly appointed inspector, who shall start the same out of the casks and carefully examine, try and inspect the same, and sort the same in three different sorts if necessary; to be placed in separate casks, well hooped and coopered, and branded with the quality, weight, place of inspection, and name of inspector. His fees were sixpence per hundredweight.

In case of any dispute between inspector and owner, any magistrate within the county may issue a warrant to three indifferent judicious persons of skill and integrity—one to be named by the owner, one by the inspector, and one by the magistrate—to be viewers to view and search the said pot or pearl-ashes and report of the quality thereof as soon as conveniently may be. The fees and costs were to be paid by the party against whom the report was made.

By the Laws of 1788, General Inspectors of Lumber were authorized, and by Chapter LIX of the Laws of 1801, an inspector for the City of Albany was authorized to inspect all timber, boards, plank of every kind, scantling or shingles, before they are exported out of this State, and mark with a marking iron on each board, plank, or piece of timber the initial letters of his Christian name and surname, with the number of feet in each board, plank, or piece of timber; and no board shall be marked as merchantable and good but what is at least six inches wide, clear of sap, and shall be of the actual thickness sold for. Provided, however, that all plank and boards which are less than six inches wide, clear of sap, may be exported as sap-plank and boards, if they be of the thickness of merchantable plank and boards and marked with the letter "S" in addition to the inspector's mark. The inspectors were not to trade in lumber, and received 37½ cents for each thousand feet, superficial measure, inspected; fourteen cents per ton of forty cubic feet for square timber; and twenty cents per bundle for shingles.

Chapter 152, Laws of 1829, authorized the person administering the government of this State to appoint Inspectors and Admeasurers of Wood and Timber for Albany County, for the term of three years, whose fees were 12½ cents for every 100 feet of timber inspected and measured; four cents per cord for parcels of wood containing less than ten cords, and three cents per cord for parcels of ten cords and upwards; besides his traveling fees of six cents per mile. These fees to be paid jointly by the buyer and seller.

## BOARD OF CHARITIES.

ONE of the most beneficent of the departments organized by the State and doing service for the whole State, is the State Board of Charities. It is not in our plan to give a detailed history of this Board, nor a statement of the important service it is rendering; only enough in a general way to make known its organization, its object, and the nature of its work; and then to exhibit, in abridged tabular form, what it is doing for Albany County Institutions of Charity.

A State Legislative Act was passed May 23, 1867, providing that "the Governor, with advice and consent of the Senate, shall appoint

eight persons, one of whom shall reside in each judicial district of the State, to be designated as the Board of State Commissioners of Public Charities." Their term of office was to be eight years; but the first appointed were to be classed so that one should go out each year, the place to be filled by the appointing power as above. In 1870, the Lieutenant-Governor, Secretary of State, Comptroller and Attorney-General were made members of the Board, *ex-officio*.

The Commissioners, by this statute, have full power to inquire into the financial condition of the institutions under their care; to examine into the methods of instruction and management of

\* Left the Academy before graduation. † Present cadet.

inmates; the conduct of officers; condition of buildings; and all other matters pertaining to their usefulness. Under this aspect of its duties the Board is constituted the "moral eye" of the State, and its adviser in relation to the condition and care of the unfortunate classes under its guardian care. For these services the members of the Board receive no compensation other than reimbursement for actual expenses.

The first Board of Commissioners were duly appointed and confirmed in January, 1858, and were as follows: First District, Nathan Bishop; Second District, Harvey G. Eastman; Third District, John V. L. Pruyn; Fourth District, Edward G. Foster; Fifth District, Theodore W. Dwight; Sixth District, Samuel F. Miller; Seventh District, Martin B. Anderson; Eighth District, F. H. James. Two of these commissioners, Messrs. Foster and Miller, are members of the present Board.

Little was accomplished during the brief term of Henry C. Lake, the first Secretary. Dr. Charles S. Hoyt, who was chiefly instrumental in the legal establishment of this Board, was made Secretary of the Board, June 5, 1868. The wisdom of this choice has been proved by the remarkable fidelity and success with which he has discharged the duties of the office ever since. The work of the Secretary had so much increased, that in 1874 the present Assistant-Secretary, Hon. James O. Fanning, received his appointment. It was a most fitting selection, as a faithful service of eleven years has shown. Much of the out-door work has come upon him; and nearly all of those arduous duties connected with the office, such as correspondence, collecting facts, and preparing and distributing reports and other documents, have been his special charge.

Hon. John V. L. Pruyn, of Albany, a noble man, one of the originators of this Board, and its first President, died November 2, 1877. Rev. Dr. M. B. Anderson succeeded him only a short time, when Hon. William P. Letchworth, the present devoted and judicious President, was elected.

By the statutes of May 21 and June, 1873, the name of the Board was changed to The State Board of Charities. Its membership was increased to eleven, and additional powers were conferred upon it. The right of supervisory visitation was extended to all charitable, reformatory or correctional institutions, except prisons. Even private asylums are included. By this act any person or association is prohibited from establishing any asylum or institution of any sort for the custody or treatment of the insane without obtaining a license therefor from this Board. It provides, also, for the appointment of a State Commissioner of Lunacy, who is, *ex officio*, a member of this Board.

When, in 1873, the act relating to State paupers was passed by the Legislature, Albany was selected as one of the five counties of the State for their reception, support and care. It thus came to have a State Alms-house. The accommodations offered were for two hundred persons, and \$2.50 per week was to be the price of support. At first seventeen males and one female were assigned. Of these, one died, the 1st of January, 1874, two absconded, and nine were removed from the State as not belonging. This policy of determining the legal residence of paupers and relieving the State of the burden of their support by the removal of non-residents, has ever since been carried on.

December 31, 1874, there were in Albany County Alms-house, thirty-five children born in that institution during the year. Only three of these now remain. The dependent children in this county are, as fast as possible, placed in various asylums in Albany. In 1875, the whole number was between three and four hundred. The price paid for their maintenance is \$1.50 per week.

Much might be written concerning the vast amount of saving of expenditure by the judicious oversight and management of this Board in regulating the lavish out-door relief; in the organization of productive labor in the poor-houses; in remanding to their own country large numbers of foreign paupers; in relieving our own citizens from the burden of their support, and transferring them to those persons or places upon whom it in equity should devolve.

It is also justly claimed that, by the watchfulness and care of this Board, there has come to be a greatly improved condition of the poor-houses, a better understanding of the objects and purposes of orphan asylums, hospitals, and like charities; a general improvement in the treatment and care of the insane and idiots; an equitable law carefully carried out relating to the settlement of paupers; in short, more intelligence, more economy, less taxation and less wrong-doing in the management of our unfortunate classes than before this State Board was established.

We close our brief article with a tabulated statement of the names of the institutions in the County of Albany under the supervision of the State Board of Charities, and giving the principal items of general interest, so far as figures can give them, at intervals of five years.

We take occasion here to put on record that the New York State Asylum for Idiots was first located in Albany County. It commenced its useful work in the City of Albany, October, 1851, and was removed to Geddes, near Syracuse, in September, 1855. The number of pupils admitted during that period were, in 1851, 23; in 1852, 26; in 1853, 17; in 1854, 8.

TABLE I.

## ALBANY CITY HOMŒOPATHIC HOSPITAL.

YEAR.	REAL ESTATE.	PERSONAL PROPERTY.	TOTAL RECEIPTS.	TOTAL EXPENDITURES.	TOTAL UNDER TREATMENT DURING THE YEAR.	TOTAL DISCHARGED DURING THE YEAR.	TOTAL REMAINING AT END OF YEAR.
1870.....							
1875.....	\$10,057 00		\$3,000 00	\$10,428 00	23	17	6
1880.....	21,000 00		5,790 42	5,437 71	82	68	14
1885.....	1,000 00		6,230 72	5,983 04	131	118	13

## ALBANY HOSPITAL.

1870.....	\$48,000 00	\$5,000 00	\$22,913 25	\$22,457 26	432	393	39
1875.....							
1880.....	75,000 00	2,500 00	30,701 00	30,373 00	482	439	43
1885.....	100,000 00	12,000 00	30,070 02	27,682 02	808	754	54

## CHILD'S HOSPITAL.

1870.....							
1875.....							
1880.....							
1885.....	\$30,500 00		\$92,710 57	\$10,931 45	131	83	48

## ST. PETER'S HOSPITAL.

1870.....							
1875.....	\$100,000 00		\$18,329 16	\$18,252 26	376	350	26
1880.....	100,000 00		12,437 76	12,432 43	509	449	60
1885.....	55,000 00	\$1,000 00	12,909 77	12,565 56	477	434	43

TABLE II.

## ALBANY GUARDIAN SOCIETY AND HOME FOR THE FRIENDLESS.

YEAR.	REAL ESTATE.	PERSONAL PROPERTY.	TOTAL RECEIPTS FOR THE YEAR.	TOTAL EXPENDITURES.	NUMBER SUPPORTED DURING THE YEAR.	NUMBER DISCHARGED	NUMBER REMAINING AT END OF YEAR.
1870.....	\$35,988 77	\$3,000 00	\$32,625 04	\$32,206 00	34	4	30
1875.....	35,000 00	27,500 00	3,420 02	3,345 80	53	8	45
1880.....	40,000 00	39,150 00	4,086 70	3,289 39	47	6	41
1885.....	35,000 00	46,300 00	9,250 75	5,053 05	57	5	52

## ALBANY ORPHAN ASYLUM.

[For Children Between Ages of 3 and 12. Incorporated March 30, 1881.]

1870.....	\$15,000 00		\$12,456 69	\$10,020 24	148	46	102
1875.....	30,000 00	\$76,463 20	30,694 65	29,157 90	193	44	149
1880.....	45,000 00	90,000 00	33,066 41	32,116 49	308	84	224
1885.....	50,000 00	95,000 00	27,448 77	26,824 61	421	113	308

## BABIES' NURSERY.

1870.....							
1875.....							
1880.....							
1885.....	\$800 00	\$2,200 00	\$2,474 47	\$2,461 83	29	11	18

## CHILDREN'S FRIEND SOCIETY.

[First opened December 1, 1856.]

1870.....	\$3,500 00	\$200 00	\$5,527 43	\$3,627 65			
1875.....	4,200 00	3,400 00	2,882 20	2,475 24			
1880.....	4,200 00	14,800 00	3,137 67	3,196 09			
1885.....	16,000 00	15,200 00	17,377 20	16,850 20			

## HOME FOR THE AGED OF LITTLE SISTERS OF THE POOR.

1870.....							
1875.....							
1880.....	\$43,700 00		\$3,005 00	\$2,750 00	130	24	106
1885.....	80,000 00		3,500 00	3,500 00	160	10	150

## HOME FOR AGED MEN.

1870.....							
1875.....							
1880.....	\$35,000 00		\$4,233 53	\$3,993 68	15		15
1885.....	35,000 00	\$12,641 61	4,124 44	4,117 58	24	6	18

## HOUSE OF SHELTER.

[Incorporated January 4, 1869.]

1870.....							
1875.....							
1880.....	\$20,000 00	\$3,550 00	\$3,455 64	\$2,623 42	78	50	28
1885.....	20,000 00	4,050 00	4,904 78	4,178 56	165	128	27

## OPEN DOOR MISSION.

1870.....							
1875.....							
1880.....							
1885.....		\$10,600 00	\$2,597 84	\$2,096 04	58	38	20

## ORPHANS' HOME OF ST. PETER'S CHURCH.

1870.....	\$6,000 00		\$1,839 96	\$1,575 19	18	3	15
1875.....			1,246 15	1,141 41	29	12	17
1880.....	10,000 00	\$1,375 00	1,697 05	1,206 24	27	4	23
1885.....		9,786 56	12,118 77	1,953 10	19	5	14

## ST. JOSEPH'S INDUSTRIAL SCHOOL.

1870.....							
1875.....							
1880.....							
1885.....							

## ST. VINCENT'S FEMALE ORPHAN ASYLUM.

[Opened in 1845.]

1870.....	\$75,000 00	\$3,000 00	\$8,752 90	\$8,745 90	136	10	126
1875.....	83,116 00	2,000 00	10,877 84	10,089 42	160	33	127
1880.....	116,198 40	2,000 00	15,483 65	14,197 86	301	44	257
1885.....	127,289 00	1,000 00	22,480 49	22,326 63	315	62	253

## ST. VINCENT'S MALE ORPHAN ASYLUM.

1870.....	\$16,000 00	\$2,400 00	\$13,762 23	\$13,641 60	193	59	134
1875.....	45,000 00		10,154 18	10,126 31	145	35	110
1880.....	58,000 00		8,508 22	8,391 58	142	25	117
1885.....	32,000 00		12,046 24	11,983 03	157	29	128

TABLE III.

## ALBANY COUNTY POOR-HOUSE.

YEAR.	NO. PERSONS SUPPORTED.			Numbers discharged.	Absconded.	Died.	Insane.	Idiots.	Blind.	Deaf Mutes.	Epileptics.	Children under 16.	Native.	Foreign.	No. acres land.	Value of Poor-house Establishment.	Amount expended for support.	Average weekly expense each person.
	Male.	Female.	Total.															
1870	945	563	1,508	1,033	81	63	172	7	3	3	8	272	554	954	120			\$2.86
1875	674	884	1,561	1,160	30	50	71	10	8	3	4	27	509	1,052	116	\$300,000	\$21,700.00	1.90
1880	517	389	906	479	78	55	59	....	5	1	16	13	291	615	115	250,000	23,068.00	1.45
1885	486	247	733	411	62	64	35	3	3	1	3	....	280	453	112	145,000	27,897.43	2.50

## UNITED STATES OFFICERS, PUBLIC BUILDINGS

AND

## OTHER INSTITUTIONS IN ALBANY COUNTY.

Prof. J. TENNEY, Editor.

THE UNITED STATES ARSENAL is in the township of Watervliet, within the boundary of the village of West Troy; having the Hudson River on the east, the Watervliet Turnpike and horse railroad passing through the grounds on a line with the river, and the Erie Canal running through the depot inclosure, between the front and rear buildings, over which are two bridges. The local position is distant northeast from the new Capitol, Albany, six miles; nearly opposite the City of Troy; and in latitude 42 degrees 43 minutes and 9 seconds, and longitude 73 degrees 42 minutes and 7 seconds.

The establishment was located here in 1813, upon about 12 acres of land which was the original purchase, and was commenced in 1814 under the direction of Colonel George Bumford, of the ordnance department; after which it was under the supervision of Major Daliba, an officer of the same department, who matured many of its details, and introduced an excellent system of economy and police regulations. These first officers have been succeeded by the following:

Colonel Talcott, General W. J. Worth, Major Baker, Major Symington, Major Mordecai, Colonel Thornton, Colonel Hagner, Brevet-Captain O. E. Michaelis, Colonel Buntington, Colonel Mordecai, Captains Michaelis, Metcalfe and Young.

The area of territory has been enlarged by several purchases, and cessions from the State. At this time the reservation contains 109 acres, the whole inclosed by a wall eight feet high, except on the east front, where there is an iron fence which allows an open, clear outlook to the river.

The river front is 1,600 feet long, 800 feet of which is finished, at a cost of \$50,000, as a stone wharf, where vessels as large as any navigating the upper Hudson can unload. From the river it extends westward, with a width of 1,700 feet to the Erie Canal, which passes through about 600 feet from the river, and thence in triangular shape to a point about 1,000 feet from the canal, and within 200 feet of the Delaware and Hudson Canal Co.'s railroad.

The area within the inclosure now unoccupied is arranged with taste, and skill has been exercised in combining the useful with the agreeable. All the appointments and construction of buildings are nearly perfect. The roadways are substantial and made of gravel interlaid with flag-stone walks, while the spaces, or portions unoccupied, are kept in lawns and garden plats, which, with the many shade trees, add to the general attractiveness.

The present permanent buildings required to meet the demands of the various branches connected with the Arsenal, as well as offices, residences and quarters, are arranged with admirable skill with reference to their convenience and special purpose of economic adaptability. They are constructed of brick and iron, in plain, solid masonry, without elaborate architectural design, and present a military appearance, increased by the war supplies, and ornamented with many memorial trophies of former victories on land and sea, distributed over the vacant spaces within the inclosure. The buildings, more than thirty in all, are painted and kept in repair.

During the Rebellion this arsenal employed 1,500 men, and in some departments work was continued day and night to fill the requisitions for ordnance supplies for our armies during their continuous engagements. The quantity, variety and quality of the issues made and forwarded day by day, for many months, demonstrates the special advantages of this site for rapidly manufacturing military supplies, and shipping them in all directions and at all seasons. Since that time the erection of a new system of store-rooms and shops, with increased motive power, improved machinery of many kinds, and other facilities of recent introduction and modern invention, have greatly enlarged the capabilities and relative completeness of the establishment, which will now accommodate a larger force of workmen and insure greater promptness.

The more recent improvements are a completed range of two-story shops, inclosing three sides of a square, 465 feet front and 300 deep; this block, built of brick and iron, is of the most approved style for working purposes, and supplied with double steam engines as well as with water power from the canal, the use of which is secured by perpetual grant, for privileges granted to the State. Connected with this valuable system of convenient shops, the permanent quarters, barracks, store-houses, timber and carriage stores, and all other fixed structures are well supplied with every necessary modern convenience, and many improvements which contribute to the health, comfort and well-being of all, have received careful attention.

Independent of the extensive iron manufacturing establishments in the immediate vicinity, there are advantages in the geographical location and facilities for transportation of materials and supplies which command consideration from the general Government, to permanently establish this depot on

a scale of national magnitude and importance, commensurate with the resources and demands of a people who are proud of their ability to maintain public improvements creditable to the military department of this Republic.

This establishment is under the Ordnance Bureau of the War Department at Washington, and in all its arrangements, and in every detail, reference has been thoroughly represented in the construction of permanent improvements as to elegance, durability and order; and the general working force is most admirably selected with regard to their actual value and capacity for substantial results.

This is one of the national arsenals ranking as first-class, and is designed to be the principal depot for military stores, arms and equipments in the Northern States; also for the manufacture, repair and storage of war material and military equipages, and supplies for every branch of the infantry and cavalry service, including fortification munitions.

The cost of the buildings for arsenal purposes, including all necessary structures, machinery, improvements, manufactures, and stores, are estimated at \$1,500,000, and value of raw material used during the year, \$30,000; average number employed, 130, including 4 officers and 30 soldiers. The original cost of all the land is about \$57,000. Under proper regulations the public have access to this establishment, and it is well worthy of a visit.

Upon a map of the arsenal grounds in 1878 there were the following buildings:

Guard-house; office; Quartermaster's office and engine-house; iron store-house; workshops, containing eight departments; turbines, boiler and engine-rooms; arsenals, two; laboratory; officers' quarters, two; commanding officers' quarters; artillery store-house; cottages for enlisted men, four; brick stables, two; hospital; barracks; ice-houses, two; nitre store; timber store-houses, six; carriage sheds; proof-house; tank-house; magazines, two; carriage sheds, 12.

In the year 1813 the United States purchased two lots of land from James Gibbons and wife, upon which were located the first buildings of the arsenal. The deed to these lands is recorded in the County Clerk's office, in Book of Deeds No. 29, pages 23, 24, and 25. The following extracts are given:

"This Indenture, made the 14th day of July, in the year of our Lord, 1813, Between James Gibbons and Esther, his wife, of the first part, and the people of the United States of the second part, Witnesseth, That the said party of the first part, for and in consideration of the sum of two thousand five hundred and eighty-five dollars, current lawful money of the United States, do grant, bargain, sell, demise, release, and confirm unto the said party of the second part, and to their successors and assigns forever, All that certain lot, piece, or parcel of land situate, lying and being in the village of Gibbonsville, in the town of Watervliet, in the County of Albany, in the State of New York, and \* \* \* containing one acre and fourteen perches of land. Also all that one other certain lot, piece,

or parcel of land situate, lying, and being in Gibbonsville aforesaid and \* \* \* containing eleven acres three roods and fourteen perches."

The first cession of lands by the State to the United States, is found in 5th edition R. S., page 93, in pursuance to the act passed March 31, 1815, as follows:

"And also all that certain piece or parcel of land situate in the town of Watervliet, in the County of Albany, and State aforesaid, at a place called Gibbonsville, on which is also erected an Arsenal and other buildings belonging to the United States, bounded as follows, to wit: \* \* \* The United States are to retain such jurisdiction so long as said tract shall be applied to the use of providing for the defense and safety of the said State and no longer. The jurisdiction so ceded does not prevent the execution on said tracts of any process, civil or criminal, under the authority of this State, nor prevent the laws, not incompatible with the purpose for which such cession was made, from operating within the bounds of said tract."

Included in this Act is the following: "The United States have also jurisdiction over a tract of land in the town of Watervliet, in the County of Albany, such jurisdiction having been ceded for the defense and safety of this State by the Commissioners of the Land Office, pursuant to the act passed March 20, 1807."

Second cession.—Chapter 332 of the Laws of 1830, cedes to the United States of America, "for the purpose of erecting and maintaining thereon arsenals, magazines, dockyards, and other necessary buildings, jurisdiction of the State over all that certain tract, piece or parcel of land, situate, lying and being in the town of Watervliet, in the County of Albany, and bounded as follows: \* \* \* together with all the land under water lying opposite and westerly of the described premises, which has been heretofore granted by letters patent to James Gibbons by the people of the State of New York, but always excepting and reserving, out of the lands above described, the land occupied by the Erie Canal, one rod on each side thereof, and also the public highway."

The State retains concurrent jurisdiction for the execution of all civil process therein, and of criminal process for offenses committed without the said tract of land. The United State are to retain jurisdiction only so long as the ceded lands are used for the purposes named in the act.

Third cession.—Chapter 96 of the Laws of 1833, cedes jurisdiction over an additional tract in said town "bounded as follows, to wit: \* \* \* containing thirty-eight and one-tenth of an acre, excepting and reserving out one rod in width along the west side of the Erie Canal, subject to the same conditions as the tracts first conveyed."

Fourth cession.—Chapter 337, Laws of New York, April 14, 1859. "An Act vesting in the United States of America jurisdiction over a certain piece of land in the village of West Troy, in the County of Albany, bounded as follows, to wit:—With the same conditions as previous conveyances.

In 1825, James Gibbons agreed to sell to the State forty acres of land, at three hundred dollars per acre. He failed to give a deed before his death, and April 28, 1828, the property was ob-

tained from Esther Gibbons, his widow and executrix. Some additions have been made by the purchase of several contiguous lots.



#### GOVERNMENT BUILDING.

The Government Building is a granite structure, located on Broadway, corner of State street.

The marked progress of Albany, with its increased business, largely due to the concentration here of river, canal, and railroads offering almost unparalleled facilities for inland transportation of every variety of merchandise, was brought to the consideration of the general Government. Influence of prominent citizens was successful in securing the erection of a building for the transaction of Government business. The Post-office and other Federal offices had for all past years depended upon rented apartments.

The first definite action was taken by Congress, March 21, 1872, when an act was passed, having for its object the erection of a building at Albany for Government purposes, the cost of which was limited to \$350,000. At this time no appropriation was made, as it was required that the site be given by the City of Albany.

After viewing several locations selection of the Exchange Building and lot was made, and purchased by the city at a cost of \$100,000, and accepted by the Government; but the area of this lot was

considered too small for the purposes. The act of March 3, 1873, appropriated \$150,000 for the purchase of the Mechanics' and Farmers' Bank property on the north, separated by Exchange street. Again, June 3, 1874, Congress appropriated \$5,000 additional for the site. This made the total cost to the city and Government \$225,000. In December, 1875, the work of razing the Exchange Building was commenced, and continued until March, 1876. Work was then suspended because Congress had failed to set a limit to the cost of the contemplated building. In March, 1877, an act was passed limiting the cost to \$500,000. This necessitated a new plan; and the present, which is Italian Renaissance, was adopted in place of the original design, which was an elaborate Gothic.

In June, 1877, work was resumed, and the corner-stone laid with Masonic ceremonies, May 7, 1879. The appropriation having been used, work was discontinued in November, 1883, leaving some portions incomplete, but with many apartments ready for occupancy.

The revenue officials were the first to take possession of the new building in December, 1883. Then followed the Post-office, January 1, 1884.

Other Government officials took possession of their several apartments during 1884.

The walls of the building are of cut granite, which is fire-proof in construction and material. It measures 113 feet front, on Broadway; 126 feet rear, on Dean street; and 150 feet on State and Exchange streets. It is three stories high, with mansard roof and towers on each corner carried up an additional story. The main tower, on the corner of Broadway and State, is appropriated to the United States Signal Service or Weather Bureau.

The basement, which extends under the whole building, is used for heating purposes, receiving and shipping mail matter, and bonded warehouse.

The roof is constructed of iron, copper and tin. The stairways are of iron and slate, with oak hand-rails. The corridors are spacious, well lighted, with floors covered with tiles. All doors, casements and moldings are solid white oak. The ventilation and heating arrangements are most admirable in every apartment. All the rooms are spacious, elegantly finished, and splendidly lighted. Every office is supplied with all needed accommodations for comfort and convenience; while the furniture, desks and book-cases are of walnut and oak, made substantial and for service.

The different floors are reached by easy stairways or elevators. The approaches to the building are cut granite, and the side-walks smooth patent slabs. The building is a model in all its details.

The total cost thus far is \$627,148. The superintendents of construction have been resident architects. Edward Ogden was the first superintendent, who had charge after removing the old Exchange Building and the building of the foundation. Mr. George H. Sear had charge of putting up the basement. Mr. Walter Dickson was then placed in charge, and under his superintendence the building was completed. Colonel William E. Fitch was clerk, and Mr. John E. Todd, master mechanic.

#### THE ALBANY POST-OFFICE

Is located in the Government Building, and occupies the first floor and part of the basement.

There is no reliable evidence that any general mail or postal service was instituted or maintained by the colonial government at Albany, nor was it a postal point, and during the Revolution each party was dependent upon its own methods for conveying information or communicating with distant points.

The earliest traveled route from Albany was to New York, by the Hudson River, and at the commencement of hostilities the settlements near Albany were only outposts and centers for the collection of trade and traffic. Modes of communication and conveyance were primitive and conducted by parties directly interested. This condition was somewhat improved or modified during hostilities by opening new roads or avenues for conveying supplies and communicating with the army. These in time became post roads, and were extended to

more distant settlements, reaching many miles from Albany.

The introduction of practical improvements and the rapid development of the country, necessitated some method by which the people could communicate with distant places; and the new Government was prompt in establishing the post-office department for the rapid transmission and safe delivery of mail matter to all available settlements.

The following facts and records connected with the early history of the general post-office are gathered from the acts of the Provincial Congress. At the session held July 26, 1775, it was

*"Resolved, That a Postmaster-General be appointed for these United Colonies, to hold office for one year, and to hold his office at Philadelphia, and he shall receive a salary of one thousand dollars a year."*

Benjamin Franklin received the first appointment.

*"Resolved, That a line of posts be appointed under the direction of the Postmaster-General, from Falmouth, in New England, to Savannah, in Georgia."*

July 8, 1776.—*"Resolved, That the postmasters, while in office, be excused from military duty;"* and August 8, 1776, it was *"Resolved, That the post-riders be exempt from military duty."*

In 1777 three new routes were established: from Casco Bay to Philadelphia; from Philadelphia to Edenton, N. C.; and from Edenton to Savannah. In 1780, packets, and other vessels in the Continental Service, were to carry letters and deposit them in the nearest office to the post where they shall arrive.

October 18, 1782, ordinance was made for regulating the post-office in the United States of America. All postmasters were to subscribe to a general oath; post-riders were appointed. Postage was established at the following rates in pennyweights and grains of silver, estimating each pennyweight at five-ninetieths of a dollar, or five and five-ninth cents: for any distance not exceeding 60 miles, one pennyweight, eight grains; less than 100 miles, two pennyweights; 100 to 200 miles, two pennyweights, sixteen grains. Sixteen grains for every additional 100 miles—for single sheets. A packet of one ounce was equal to four letters. Post-riders could carry newspapers, if licensed.

September 7, 1785.—*"Resolved, That the Postmaster-General be and he is hereby authorized, and instructed, to enter into contract for the conveyance of the mails by the stage-carriages from the City of New York to the City of Albany, according to the accustomed route."*

*"No paper money to be received for postage."*

The history of the Albany Post-office, as a Government institution, dates from 1783, when Abraham Yates was the first postmaster under the Provincial Congress.\* The records previous to this time give very little information on the subject. It appears that postal facilities were limited to in-

\* It is said that Colonel Henry Van Schaack served as postmaster in Albany previous to 1775.

dividual enterprise, and messages were sent by river conveyance to New York, and post-riders to other points. This method for the distribution of public or private correspondence with neighboring counties was continued for several years, and to some parts of this county as late as 1820.

These riders met at certain points and interchanged letters and papers. The shrill blast of the postman's horn gave notice to the waiting maiden at the farm-gate that he had something for her or the family, after delivering which, he hastened on his journey. When the business was not remunerative, subscriptions were made among the citizens who were interested in their continuance.

Post-riders were, in time, followed by stage-coaches; these by steamboats. The introduction of railroads made a marvellous change in the transmission and rapid conveyance of all postal matter, as well as in an increase in the post-offices. At this date only a few offices in the county receive their mail by the antiquated stage-coach. The several lines of railroads which leave Albany traverse the county in many directions, and pass through nearly all the post villages, distributing mails daily.

In 1785, Albany served for Greenbush, Schenectady, Cherry Valley, Orange and Dutchess Counties, and letters were advertised for Vermont.

In 1776 post-mails were received twice a week from New York. At this time a mail was received once a week from Springfield, Massachusetts. Other routes and extensions were made in 1789 and 1790, reaching west, the post leaving Albany on Monday for Schenectady, Johnstown, Canajoharie, Fort Plain, Fort Hunter, and arrived at Warrens-bush on Friday; returning to Albany on the following Monday.

About this time mails were sent to Vermont and other towns as far as Hoosic, and in 1791-92 the Postmaster-General extended the post-routes from Albany to Bennington and Burlington, Vt. In 1794 there were five post routes from Albany. The first on the east side of the river to New York once a week; the second, north, by way of Lansingburgh, Bennington, Manchester, Rutland and Middlebury, to Burlington, Vt.; the third went to New Lebanon, Pittsfield, Northampton and Brookfield, Mass.; the fourth passed, via Kinderhook and Stockbridge, to Springfield, Mass. On these lines the mail was carried once a week. The fifth route extended east to Schenectady, Johnstown, Canajoharie, German Flats, Whitestown, Old Fort Schuyler, Onondaga, Aurora, Scipio, Geneva, and Canandaigua, once in two weeks. In 1796, mails were established between Albany and Philadelphia, a distance of 260 miles, and delivered in three days. In this year the mail facilities were extended to Genesee County, which was then the far west. Post-riders traversed the county in 1797, distributing letters and papers, and in 1800 a post was sent to Duaneburgh. Other offices were established soon after. Mails were delivered and collected by post-riders as late as 1820 in this county; after this date stage-coaches were brought into use, and the gradual development of agriculture and other resources demanded in-

creased postal facilities. There are now fifty-seven post-offices in Albany County, as shown in another part of this volume. The first postman or letter-carrier for the Albany post-office was William (Billy) Winne, celebrated as the captor of the Pye robber, in December, 1806. He served from 1800 until his death in 1848.

The post-office in Albany has been located in different places. The earliest known was in 1784, a few doors above Maiden lane on the east side of Market street, now Broadway; Abram Yates, Postmaster.

May 2, 1861, the building on the southeast corner of State and Broadway was taken down, to give place for the present more substantial structure now occupied by P. V. Fort & Son. During the war of 1812, in this old corner was a drug store, kept by Jacob Mancius, and in the rear of it, in a room seven by nine, was kept the city post-office. The postmaster employed but one clerk, who attended the drug store and assisted in opening and putting up mails, and the delivery of letters and papers. During the season of river navigation, sailing vessels brought the mails to and from New York City. In the winter they were conveyed by land carriage. The post-office was a one-horse concern; but then, as now, everybody was anxious to learn the latest news.

In 1823, the post-office was located on North Market street, a little north of the Government Building, nearly on the present site of George A. Birch's store.

The post-office was taken to the Exchange Building in 1840, and remained there till 1862, when it was temporarily moved to State above Green street, in the building now occupied by Smith, Covert & Co. After repairs were made in the Exchange, it was removed in 1863 to its former location, where it remained until 1873. In this year it became necessary to vacate the building, and the office was again obliged to occupy new quarters. This time it was on the east side of North Pearl, south of Columbia street, in the Little Building, now occupied by A. B. Van Gaasbeeck. Another change followed in 1877, when the post-office was transferred to the Delavan Block on Broadway. Here it remained until January 1, 1884, when it took possession of its assigned location in the new Government Building, as a fixed institution, with all modern improvements, appliances and conveniences.

In 1799, the rates of postage were as follows: for a single sheet, 40 miles, more or less, 8 cents; 40 to 90 miles, 10 cents; 90 to 150 miles, 12½ cents; 150 to 300 miles, 17 cents; 300 to 500 miles, 20 cents; 500 miles or more, 25 cents. These rates were continued until about 1825, when they were changed to 6, 10, 12½, 18¾ and 25 cents, and were the established rates up to 1845. Then the 5 and 10-cent rates were adopted by Act of Congress; for every single letter under 300 miles, 5 cents, and for any distance over 300 miles, 10 cents for each half-ounce. Postage stamps were first used in 1847 of the denomination of 5 cents. June 31, 1851, the act took effect reducing postage to 3 cents

on all letters less than half an ounce and not exceeding 3,000 miles in distance, prepaid; and double this rate for over 3,000 miles. This year envelopes were introduced. In 1852, Government stamped envelopes were issued. In 1855, another modification was made; on single letters, 3 cents prepaid for any distance less than 3,000 miles, and 10 cents over 3,000 miles. In 1863, the law was enacted making the rate of postage within the United States 3 cents, and prepayment by stamps. October, 1883, the two-cent stamp became the law for every half-ounce or less; and on the first of July, 1885, the law took effect making the prepayment of two cents by stamp the legal rate of postage on all letters weighing one ounce or less.

Postal cards and money orders were first issued in 1872, and about the same time the registration of letters was introduced.

Since Abraham Yates, who served till 1795, the following have performed the duties of postmaster in the Albany office. The dates of their respective appointments are given from the best available data:

1795, George W. Mancius; Jacob Mancius; 1812, James Mayer; 1815, Peter P. Dox; 1816, Gerrit L. Dox; 1821, Solomon Southwick; 1822-29, Solomon Van Rensselaer; 1839-40, Azariah C. Flagg; 1842-43, Solomon Van Rensselaer; 1843-49, James D. Wasson; 1849-50, Lewis Benedict; 1850-58, James Kidd; 1858-61, Calvert Comstock; 1861-65, George Dawson; 1865-69, Joseph Davis; 1869-71, Morgan L. Filkins; 1871-77, John F. Smyth; 1877-85, William H. Craig; and on June 1, 1885, Dr. D. V. O'Leary entered upon the duties of the office. Nineteen different men have been postmasters in the past one hundred years, represented by twenty appointments.

The salary of the postmaster is \$3,500 per annum. The working force of the Albany office at this time is composed of 65 persons. Their duties are divided as follows: 32 letter carriers, salaries from \$600 to \$1,000 per annum; 8 general delivery clerks; 2 stamp clerks; 4 registry clerks; 2 money order clerks; 8 letter distributors; and 9 baggage clerks; salaries from \$350 to \$1,100. The office is also represented by a deputy or assistant. Albany is one of the important distributing offices. Mails are dispatched to all parts of the United States and British America. The business of this office by the carriers for the month of May, 1885, was: Delivered mail letters, 286,490; local letters, 37,655; registered letters, 973; mail postal cards, 48,671; local postal cards, 33,682; newspapers, 172,202; collected letters, 196,746; postal cards, 50,049; newspapers, 20,804. For the year, total letters 1,335,720; papers, 607,800.

There are 217 mails distributed daily at this office. At the present time there are only five mail stage routes from Albany.

#### THE UNITED STATES CUSTOM HOUSE.

The collection of customs at Albany was established in the year 1803, in connection with the New York Custom House, and the first Deputy-

Collector was William Seymour. The first license entered is dated July 12, 1833. At this time only two vessels were trading regularly to Boston—the schooner Visscher and sloop George Washington, owned by Davis & Center.

As early as 1770, the sloop Oliver Bronk, Captain Bloodgood, was sent from Albany to the West Indies. In 1771, the number of sloops running between Albany and New York was about 125. In 1785, the sloop Experiment, 80 tons burden, Captain Stewart Dean, fitted out at this place for China, and sailed from New York, December 18th.

After the completion of the Erie and Champlain Canal, followed a few years after by the introduction of railroads, new avenues of trade were opened which necessitated the establishment of an office for the collection of customs at the terminus of the canals and at the head of tide-water at Albany. Since 1833 the following persons have performed the duties of Deputy Collector and Surveyors: William Seymour, Albert Gallup, Dennis B. Gafney, and William Bruce. March 2, 1867, Congress passed an act making Albany a port of entry, with Surveyor of Customs as the chief officer. The following have served under that act: Peter M. Carmichael, 1867; Isaac N. Keeler, 1870; John C. Whitney, 1875; William N. S. Sanders, 1879; John A. Luby, 1882; Addison D. Cole, 1885; Orrin A. Fuller, Special Deputy.

There are also connected with the office two Deputies and four Inspectors. The revenue from this office yields about \$150,000 annually, at an expense of less than \$11,000. The receipts for May, 1885, were \$1,832. The Custom House is located in the Government Building.

#### THE UNITED STATES INTERNAL REVENUE OFFICE

Is located in the Government Building. It was established in 1862, with a Collector as chief officer, assisted by nine Deputies. The district is known as the fourteenth, and originally comprised the following counties: Albany, Schenectady, Schoharie, Montgomery, Fulton, Hamilton, and Saratoga. It now also includes the counties of Greene, Ulster, Orange, Sullivan, and Rockland, which were added to the district August 1, 1883. The collections in the original district from 1862 to 1879 aggregated about \$21,453,803. The average collections per annum do not vary much from \$600,000. The receipts for May, 1885, were \$133,716. The Internal Revenue Collectors for this district have been Theodore Townsend, John M. Bailey, Ralph P. Lathrop, James W. Bentley, and Isban Hess.

#### STEAMBOAT INSPECTORS.

The Local Board for the District of Albany, which comprises the Hudson River above Milton, was established in July, 1871. The office is in the Government Building. Charles S. Hervey and Leonard Brainard were the first appointees, and have not been superseded. Captain Frank A. Shepard has filled the position of Clerk to the

Board since September, 1872. The duties of the officers are to inspect hulls, engines, and boilers, and license masters, mates, pilots, and engineers. There are about 200 steam vessels in the district, comprising passenger, towing, freight, and ferry-boats. The boats of the People's Line belong to the New York District.

#### UNITED STATES CIRCUIT COURT.

This is known as the second circuit, and includes Vermont, Connecticut, and New York. It was organized September 24, 1789. A term is held on the third Tuesday in January annually, in the Government Building.

#### UNITED STATES DISTRICT COURT.

This is designated as the Northern District of New York, and Albany is one of the forty-six counties of which it is composed as organized April 9, 1814.

The District Attorneys are appointed for a term of four years, at a salary of \$6,000 per year. The present incumbent is Honorable Martin I. Townsend, of Troy. Alden Chester, of Albany, is Assistant District Attorney.

Masters and Examiners in United States Circuit Court: William Lansing, J. Hampden Wood.

Masters and Examiners in United States District Court: Worthington Frothingham, William Lansing, J. Hampden Wood.

Commissioners: Worthington Frothingham and J. Hampden Wood.

Deputy-Marshall: James H. Kelley.

Board of Pension Examining Surgeons.—The following physicians of Albany have served as examining surgeons: S. D. Willard, S. H. Freeman, George T. Stevens, J. Savage Delavan, William H. Craig. The present Board consists of Drs. Charles H. Porter, William H. Bailey, Herman Bendell.

Alonzo B. Voorhees was appointed Registrar in Bankruptcy in 1867.

#### SIGNAL SERVICE.

The United States Signal Service was established in Albany in December, 1873, and located in the Dudley Observatory under the direction of Sergeant Myers. March 13, 1880, the office was removed to Gray's Building, Nos. 42 and 44 State street. October 1, 1884, the rooms on the upper floor of the Government Building, which are admirably arranged for this special purpose, were placed in care of Sergeant J. O. Barnes, the officer in charge. There have been stationed at the Albany office since its commencement, Sergeants Myers, Danhauser, Beal, and Barnes.

The whole service is conducted by the War Department under Chief Signal Officer General W. B. Hazen, at Washington. Observations are taken at the Albany office at 7 A. M., 3 and 11 P. M., and the reports are forwarded to Washington by telegraph. Local observations are taken at 11 A. M. and 7 P. M., and a sudden fall in the temperature

is indicated by hoisting a black flag from the roof of the building.

The *Farmer's Bulletin*, containing weather indications, is sent from this office to about three hundred and eighty postmasters in this vicinity, and to several business firms and other persons in the city. Reports are received from about fifty-six stations, which are furnished to newspapers for publication, and posted in many public places about the city.

The office is open during the usual business hours, and any information as to reports and the general work of the service is freely given through the kindness of Sergeant J. O. Barnes.

The temperature of Albany, as observed at this station for the past ten years, has an extreme range from 93° above to 18° below zero, and an average yearly range from 92.5° above to 11.8° below zero. The mean for the seasons is: winter, 25.6°; spring, 45.6°; summer, 70.5°; autumn, 51.2°. Average for the year, 48.2°.

In the winter of 1790, the thermometer marked 24° below zero; February 9, 1807, at sunrise, 20° below zero; February 12, 1809, Sunday morning, 8 o'clock, 17° below zero. July 13, 1853, the thermometer at Albany indicated 94° above zero. These are recorded by Joel Munsell as remarkable for this city.

The average yearly rainfall, as computed from observations at this station for the years from 1874 to 1884, is 36.97 inches, and is distributed throughout the year as follows: winter, 8.07; spring, 8.69; summer, 10.95; and autumn, 9.26 inches. For the year 1853, the rainfall was 45.79 inches, and for 1850, 50.97 inches. The lowest record was in 1851, 31.79 inches. The average rainfall at Albany, as determined at the Boys' Academy, from 1826 to 1852 was 40.64 inches. Compared with the past ten years the rainfall appears to be diminishing.

A code of weather signals has been adopted at the service station for Albany. In accordance with the recommendation of General Hazen, the following signals are used at this station: The red and blue sun, star and crescent, displayed on flags. The blue sun indicates general rain or snow; blue star, local rain or snow; the blue crescent, clear or fair weather; the red sun indicates higher temperature; the red star, stationary temperature; the red crescent, lower temperature.

#### UNITED STATES OFFICERS.

This list comprises the names of men who are or have been citizens of Albany County and held very prominent offices in the United States Government.

PRESIDENT OF THE UNITED STATES.—Martin Van Buren, elected in the fall of 1836. Sworn into office March 4, 1837. He was a native of Kinderhook; but resided and practiced law in Albany many years.

VICE-PRESIDENT.—Daniel D. Tompkins, elected in 1817. Though Mr. Tompkins was not one who might be called a permanent resident of Al-

bany County, he spent many years of his life in the City of Albany, and was at the time of his election as Vice-President, residing in this city as the Governor of the State.

**UNITED STATES SENATORS.**—The Constitution of the United States provides that the Legislature of each State shall choose two senators, who shall hold their office six years. Vacancies during the recess of the Legislature are filled by the Governor until the sittings of the next Legislature. At the first session they were divided into three classes, that one-third might be chosen every second year. A Senator must be an inhabitant of the State which chooses him, and must have been a citizen of the United States nine years.

Philip Schuyler, chosen July 16, 1789, serving till 1791; Philip Schuyler, chosen January 24, 1797, serving one year. Martin Van Buren, elected February 6, 1821; Martin Van Buren, elected February 6, 1827; Charles E. Dudley, elected January 15, 1829; William L. Marcy, elected February 1, 1831; John A. Dix, elected January 18, 1845; Ira Harris, February 5, 1861.

#### U. S. CABINET, JUDICIAL AND DIPLOMATIC OFFICERS.

Alexander Hamilton, who studied law and married in Albany, and spent much time in this city, was Washington's Secretary of the Treasury; John C. Spencer also held this office, to which Daniel Manning has recently succeeded. Martin Van Buren and William L. Marcy held the office of Secretary of State; Smith Thompson, Secretary of the Navy; John C. Spencer, John A. Dix, Secretary of War; Benjamin F. Butler, Attorney-General.

John J. Bradley, a native of Berne, and Smith Thompson, once a resident of Albany, have adorned the Bench of the United States Supreme Court.

Martin Van Buren, Daniel D. Barnard, Harmanus Bleecker, Henry G. Wheaton, Bradford R. Wood, John A. Dix, Henry A. Homes, Robert H. Pruyn, Alfred Conkling, Bret Harte, E. G. Squier, S. G. W. Benjamin, J. Meredith Read, John M. Bailey, and probably some others whose names do not now occur to us, have gone from this county to hold various important diplomatic positions abroad.

Besides these, we record Roscoe Conkling and Leland Stanford, ex-United States Senators, as natives of Albany County. Aaron Burr, who read and practiced law in Albany, where, also, was born his daughter, Theodosia, held the office of United States Senator, and Vice-President under Jefferson.

#### PRESIDENTIAL ELECTORS.

The Constitution of the United States provides that the President and Vice-President shall be chosen by Electors appointed in such a manner as the Legislatures of the States shall direct, the number to be equal to their number of Senators and Representatives in Congress. In this State the

electors were originally appointed by the Legislature. Subsequently, by an act passed March 26, 1796, the Legislature convened in Special Session quadrennially, on the first Tuesday in November, at Hudson, in place of the Electoral College. They continued to hold their Special Sessions there till 1812, since which time, by an act passed May 26th of that year, the Electors have met at Albany. By the Act of March 15, 1825, the District System was adopted; but this existed for only one election, when the Legislature, by an act passed April 15, 1829, adopted the present system. In making up the general ticket, one person is selected from each Congressional District, and two to represent the State at large. The Electoral College meets at the State Capitol the first Wednesday of December of the Presidential year, and casts its votes for President and Vice-President; makes a list thereof; and forwards it, under seal, to the President of the United States Senate, who announces the result.

*Electors from Albany appointed by the Legislature under the Act of 1792.*—1796, November 7, Abraham Ten Broeck, Abraham Van Vechten; 1800, Jeremiah Van Rensselaer; 1804, Henry Quackenbush; 1808, Ambrose Spencer, Henry Yates, Jr.; 1812, Simeon De Witt, Archibald McIntyre; 1816, Charles E. Dudley; 1820, Benjamin Knowler; 1824, Elisha Dorr.

*Electors elected by Districts.*—1828, Abraham Van Vechten; 1832, John M. Quackenbush; 1836, Peter Wendell; 1840, Archibald McIntyre; 1844, John Keyes Paige; 1848, Clarkson F. Crosby; 1852, Cornelius Vosburgh; 1856, Henry H. Van Dyck; 1860, Jacob H. Ten Eyck; 1864, John Tweddle; 1868, John Loew (did not attend and Cornelius Armstrong was appointed.). From the adoption of the Constitution down to 1872, an elector was always taken from Albany. 1876, Eli Perry; 1884, Erastus Corning.

#### REPRESENTATIVES IN CONGRESS.

The House of Representatives is composed of members elected by districts; they hold their office two years; must reside in the State which they are chosen to represent, and have been seven years citizens of the United States, and have attained the age of twenty-five. Each new Congress commences on the 4th of March every odd year. The elections are held during the year preceding.

The Constitution of the United States directs that a census be taken every ten years, which has been fixed at those years ending with a cipher. After each enumeration, Congress apportions the representation among the several States. There are now thirty-three Congressional Districts in the State. The County of Albany comprises the sixteenth district.

The following shows the names of the Representatives that represented Albany County, with the Congresses in which they served.—Jeremiah J. Van Rensselaer, 1st Congress; James Gordon and Peter Silvester, each a part of the second Congress; Henry Glen, 3d, 4th, 5th, 6th; Killian Van Rensselaer, 7th, 8th, 9th, 10th, 11th; Harmanus Bleecker,

12th; John Lovett, 13th, 14th; Rensselaer Westerlo, 15th; Solomon Van Rensselaer, 16th; Stephen Van Rensselaer, 17th, 18th, 19th, 20th; Ambrose Spencer, 21st; Gerrit Y. Lansing, 22d, 23d, 24th; Albert Gallup, 25th; Daniel D. Barnard, 26th, 27th, 28th; Bradford R. Wood, 29th; John I. Slingerland, 30th; John L. Schoolcraft, 31st, 32d; Rufus W. Peckham, 33d; Samuel Dixon, 34th; Erastus Corning, Sr., 35th, 37th,

38th; John H. Reynolds, 36th; Charles Goodyear, 39th; John V. L. Pruyn, 40th; Stephen L. Mayham, 41st; Eli Perry, 42d, 43d; Charles H. Adams, 44th; Terence J. Quinn, 45th; John M. Bailey, 46th; Michael M. Nolan, 47th; Thomas J. Van Alostyne, 48th; John Swinburne, 49th.

In some instances the districts represented included portions of territory adjacent to Albany County.

## STATE OF NEW YORK.

### ITS BUILDINGS AND PUBLIC OFFICERS IN ALBANY COUNTY.

Prof. J. TENNEY, Editor.

#### THE CONSTITUTIONAL CONVENTIONS.

**1801.**—THIS Convention was held at Albany from October 13 to 27, 1801, pursuant to an act passed April 6th of that year, to settle a controversy that had arisen regarding the relative powers of the Governor and Council of Appointments respecting nominations for office, and to consider the expediency of altering the Constitution in regard to the number of Senators and Assemblymen, with power to reduce and limit the same. The Convention unanimously decided that the Council of Appointment had equal powers of nomination of officers with the Governor. The number of Senators was fixed at thirty-two, and Assemblymen at one hundred, to be increased after each census, at the rate of two yearly, until they reached the number of one hundred and fifty. Aaron Burr was President. The delegates from Albany were: Johan Jost Dietz, Leonard Gansevoort, Daniel Hale, John V. Henry, Josiah Ogden Hoffman, Abraham Van Ingen, Stephen Van Rensselaer, Peter West.

**1821.**—The Legislature of 1820 passed an act recommending a Convention of the people of this State. Objections were made to it by the Council of Revision. These objections were referred to a select committee, which submitted its report January 9, 1821, in opposition to the opinion of the Council, which was adopted by the Assembly. But the bill did not receive a two-thirds vote and failed to pass.

A new bill was immediately drafted, received the sanction of the Council of Revision, and passed both Houses March 13, 1821.

The Convention assembled in Albany, August 28, and adjourned November 10, 1821. Daniel D. Tompkins was President. The Delegates from Albany were James Kent, Ambrose Spencer, Stephen Van Rensselaer, Abraham Van Vechten.

These gentlemen all refused to sign the Constitution as revised by this Convention.

**1846.**—The Constitution of 1821 grew in disfavor owing to a feeling that the power in the hands of the Governor and Senate had become too great. Other strong objections were made to it.

Agreeably to the popular will, expressed at the general election November 4, 1845, an act passed the Legislature, April 22, 1846, calling a Convention at Albany, June 1st following. It met on that day, and adjourned October 9, 1846.

The new Constitution limited the discretion of the Legislature in regard to some of the great concerns of the State, extended the elective franchise, gave the people the selection of most of the local officers which had been appointed by the Legislature, erected an independent Court of Appeals, and made other changes in the Judiciary and Courts of the State. John Tracy, of Chenango, was President. This Constitution was submitted to the people November 3, 1846, with the question for the repeal of the property qualifications for colored citizens separately. The result was: Constitution—Ayes, 221,528; Noes, 92,436. Equal Suffrage to Colored Persons—Ayes, 85,306; Noes, 223,834. The delegates from Albany were: Ira Harris, Peter Shaver, Benjamin Stanton, Horace K. Willard.

**1867.**—According to the provisions of the Constitution and the will of the people, the Legislature of 1867 "provided for the election of delegates to revise the organic law of the State, which was held April 23d of that year." The election resulted in a majority in favor of the convention. Thirty-two delegates at large were chosen, voters being restricted to sixteen names upon their ballots. Thus were secured equal representations, so far as these delegates were concerned, of the two leading political parties of the day.

The Convention met in Albany June 4, and adjourned November 12, 1867.

William A. Wheeler was President. Delegates from Albany County were Ira Harris, at large, and William Cassidy, Erastus Corning, Amasa J. Parker.

## CONSTITUTIONAL COMMISSION.

The Constitution framed by the Convention of 1867 contained several provisions, the essential principles of which were felt to be desirable in the organic law. Among these was the clause forbidding the Legislature to audit claims, and the sections relative to the Public Works and Prisons. Governor Hoffman, in his annual message of 1872, recommended that a commission of thirty-two eminent citizens, taken from the two great political parties, be created for the purpose of effecting a thorough revision of the Constitution. The Legislature acted upon this suggestion, empowering the Governor, by and with the advice and consent of the Senate, to designate thirty-two persons—four from each judicial district—to constitute a commission for the purpose of proposing to the Legislature, at its next session, amendments to the Constitution, provided that no amendment shall be made to the sixth article thereof.

Commissioners from the Third District, including Albany County, were Robert H. Pruyn, Albany; William Cassidy, Albany; George C. Burdett, Troy; Joseph B. Hall, Catskill; Cornelius Tracy, Troy. Robert H. Pruyn was chosen Chairman.

The Commission assembled in Albany December 4, 1872, and adjourned March 15, 1873. Their deliberations were submitted to the Legislature of 1873, by which, after some modifications, the proposed amendments were referred to the Legislature of 1874, pursuant to Article 13, Section 1, of the Constitution. This Legislature submitted to the people at the general election to be held in 1874, the amendments to which it agreed. The fifth article, as proposed by the Commission, provided for the appointment, by the Governor and Senate, of Secretary of State, Attorney-General, State Engineer and Surveyor, Superintendent of Public Works, and Superintendent of Prisons. This article was not approved and was not submitted to the people.

The disagreement in the Legislature upon this article, resulted in the postponement of the important amendments relating to the Superintendent of Public Works and Superintendent of Prisons, and providing for their appointment by the Governor, by and with the advice and consent of the Senate. These amendments were submitted to the people in 1876, and adopted by them.

## PUBLIC OFFICERS.

**GOVERNORS OF THE STATE.**—John Tayler, elected 1816. Mr. Tayler was elected Lieutenant-Governor January 29, 1814, under a special act of the Legislature, passed April 11, 1811, after the death of John Broome, Lieutenant-Governor, who died August, 1810. At that time Daniel D. Tompkins was serving his second term as Governor. In 1816 Daniel D. Tompkins was again elected Governor, and John Tayler, Lieutenant-Governor. The next year Mr. Tompkins was elected Vice-President, and Mr. Tayler became Governor.

Martin Van Buren, elected 1828. Mr. Van Buren was appointed Secretary of State under President Jackson, March 12, 1829, and resigned the office of Governor, and Enos T. Troop became Governor.

John A. Dix, 1872.

**LIEUTENANT-GOVERNORS.**—Stephen Van Rensselaer, April 28, 1795; Jeremiah Van Rensselaer, April 28, 1801; John Tayler, January 29, 1814; John Tayler, April 27, 1816.

**STATE SECRETARIES OF STATE.**—Daniel Hale, March 24, 1793; Charles D. Cooper, April 17, 1817; John Van Ness Yates, April, 1818; John Van Ness Yates, February 13, 1823; John A. Dix, February 1, 1833.

**STATE TREASURERS.**—This is an ancient office. It was first known as Receiver-General when the State, as New Netherlands, was under the Dutch Government; under the English Colonial Government, as Receiver and Collector-General. These last officers were also Collectors of the Port of New York. They were always the keepers of the people's money. They were appointed under the English laws by the Crown. The Provincial Congress continued the office. The first State Constitution directed the appointment to be made by an act of the Legislature, to originate with the Assembly. Under the present Constitution the State Treasurer, elected by popular vote, receives the public funds, and pays drafts upon the warrants of the Comptroller, the Superintendent of Public Instruction and the Secretary of the State Board of Charities. He is also, *ex officio*, Commissioner of the Land Office and of the Canal Fund, the State Board of Equalization, of Assessments, of the Board of State Canvassers and a Trustee of the Union University. He is chosen every two years. The salary is \$5,000 per annum. He has a deputy, book-keeper and clerks.

Robert McClallen, March 16, 1798; Abraham G. Lansing, February 8, 1803; Abraham G. Lansing, February 18, 1810; Charles Z. Platt, February 10, 1813; Gerrit L. Dox, February 12, 1817; Benjamin Knower, January 29, 1821; Stephen Clark, November 7, 1855; Nathan D. Wendell, November 4, 1879.

**ATTORNEYS-GENERAL.**—This is another very ancient office in the State of New York. Under the Dutch, in the Province of New Netherlands, the office was known as "Schout-Fiscal." He was both Attorney-General and Sheriff. He arrested persons and examined and prosecuted them. In very important cases, where there were reasons for strong suspicions, but no direct evidence, of the prisoner's guilt, he subjected him to the most cruel torture. This was done to obtain a confession of guilt. He, with one magistrate, were witnesses of the torture, deciding when to begin and when to suspend. As Sheriff he executed the judgments of the Supreme Courts in Criminal and Civil cases, and was allowed deputies. He had a voice in the enactment of all laws and a seat in the Council, except when officiating as prosecuting officer.

Under the English Colonial Government he was appointed by the Colonial Governors until 1702, after which he was commissioned by the Crown and held the office during its pleasure. As law officer of the State his duties have been about the same. Under the first Constitution he was commissioned by the Council of Appointment and was a Commissioner of the Canal Fund and of the Land Office. Under the second Constitution he was a Commissioner of the same Boards as the Secretary of State. He is now elected every other year by the people, and is, *ex officio*, Commissioner of the Land Office and of the Canal Fund, a member of the Canal Board, the Board of State Canvassers, the State Board of Health, the State Board of Charities, the State Board of Equalization of Assessments, a Trustee of the University and of the New York State Soldiers' and Sailors' Home.

John Woodworth, February 3, 1804; Abraham Van Vechten, February 2, 1810; Abraham Van Vechten, February 13, 1813; Martin Van Buren, February 17, 1815; Samuel A. Talcott, February 12, 1821; Samuel A. Talcott, February 8, 1823; John Van Buren, February 3, 1845; Lyman Tremain, November 3, 1857; Charles S. Fairchild, November 2, 1875.

**COMPTROLLER.**—The Comptroller is now the Auditor of Public Accounts, except those payable from the Free School Fund. He manages the funds of the State, loans its moneys, superintends the collection of its taxes and the payment of current expenses of the State. He is also at the head of a Bureau of Canal Affairs. He is, *ex officio*, Commissioner of the Land Office and of the Canal Fund, a Member of the Canal Board and of the Board of State Canvassers, a Trustee of the Idiot Asylum and of Union University, and of the State Board of Equalization of Assessments. He is elected every other year.

John V. Henry, March 12, 1800; Archibald McIntyre, March 25, 1806; William L. Marcy, February 13, 1826; Azariah C. Flagg, January 11, 1834; Azariah C. Flagg, February 7, 1842; Frederick P. Olcott.

**SURVEYOR-GENERAL AND STATE ENGINEERS.**—The Surveyor-General and State Engineer is, *ex officio*, Trustee of the Union University, a Commissioner of the Land Office, and a member of the Canal Board and the Board of State Canvassers. He is elected every other year. He has a deputy and necessary clerks. The State Engineer and Surveyor supervises the canal engineering department. He appoints three division engineers and three resident engineers.

Philip Schuyler, March 30, 1781; Simeon DeWitt, May 13, 1784; Simeon DeWitt, February 8, 1823; Orville L. Holly, February 5, 1838.

**STATE ENGINEERS AND SURVEYORS.**—William J. McAlpine, November 4, 1851; Sylvanus H. Sweet, November 4, 1873; Elnathan Sweet, November, 1883.

**CANAL COMMISSIONERS.**—The Constitutional Commission of 1874 recommended, among other things, the appointment of Superintendent of Public Works.

This was adopted by the Legislature of 1875. The office of Canal Commissioner was abolished on the appointment of the Superintendent of Public Works, which took place February 8, 1878. Stephen Van Rensselaer, April 17, 1816; Asa Whitney, February 22, 1840; Stephen Clark, February 8, 1842; Stephen Clark, November 4, 1844; Charles H. Sherrill, November 5, 1856.

#### GOVERNORS' MANSIONS.

The Legislature of the State fixed the seat of government at Albany in 1797. Its session that year was held in the Stadt Huys, commencing January 3d, and ending April 3d. The law making Albany the State capital is dated March 10th. John Jay was then Governor. He occupied "Mr. James Caldwell's elegant house in State street," situated where Walsh's hat store is now located. George Clinton, who was the first Governor of the State, from 1777 to 1795, was again elected, and followed Mr. Jay from 1801 to 1804. The same house occupied by Governor Jay was occupied by Governor Clinton and family. We do not find where Morgan Lewis (1804 to 1807) had his mansion. Governor Daniel D. Tompkins (1807 to 1817) resided a portion of his term, if not the whole of it, at 99 Washington avenue, where George B. Steele now resides. De Witt Clinton (1817 to 1823, and 1826 to 1828) had his residence corner of North Pearl and Steuben streets, on the site now occupied by Johnston & Reilly's store. Here he died, February 11, 1828. Martin Van Buren (1828 to 1829) resided at 92 State street, on the site of J. H. Simmons' auction-rooms. Enos T. Throop, who filled out the term of Governor Van Buren (who resigned March 12, 1829, to become Secretary of State under Andrew Jackson), and was afterwards Governor from 1831 to 1833, had his mansion at No. 1 Elk street, where the late Harmon Pumpelly resided.

William L. Marcy (1833 to 1839) occupied No. 2 Elk street, where General Rufus H. King now resides.

The Kane mansion, on the site of the Ash Grove Church, was the mansion of William H. Seward during his gubernatorial career (1839 to 1843).

William C. Bouck (1843 to 1845) lived at 119 Washington avenue, now the residence of General John F. Rathbone.

Silas Wright (1845 to 1847) resided at 133 North Pearl street.

John Young (1847 to 1849), at 111 State street, where now resides Mrs. John Tweddle.

Hamilton Fish (1849 to 1851), at 15 Elk street, the residence of the late Hon. John V. L. Pruyn. Washington Hunt (1851 to 1853), at 1 Elk street; as also did Horatio Seymour (1853-54) during his first term, the same as formerly occupied by Governor Throop. Governor Seymour, during his second term (1863-64), had his executive mansion in "Dudley Row," 65 Hawk street.

Myron H. Clark (1855-56) occupied 132 State street, where now is the Christian Brothers' Academy.

John A. King (1857-58), 881 Broadway, corner of North Ferry, now St. Peter's Hospital.

Edwin D. Morgan (1859 to 1862), and Reuben E. Fenton (1865 to 1868), four years each, made 144 State street, late the residence of Dr. S. O. Vanderpoel, their home in this city.

John T. Hoffman (1869 to 1872) made the old Congress Hall, east of the new Capitol, his residence.

John Adams Dix (1873-74), 123 Washington avenue, north of the new Capitol.

Samuel J. Tilden (1875 to 1877), Lucius Robinson (1877 to 1879), Alonzo B. Cornell (1880 to 1882), and Grover Cleveland (1882 to 1885), resided in the Executive Mansion, 138 Eagle street, bought by the State of the late Robert L. Johnson.

This is also the residence of David B. Hill, the present Governor, and is intended as the permanent gubernatorial mansion.

#### STATE LEGISLATURES.

The Legislature meets annually, on the first Tuesday in January, at the Capitol in Albany. The Senate consists of 32 members, elected biennially; the Assembly of 128 members, elected annually. Salaries, \$1,500. Albany County now constitutes the Seventeenth Senatorial District. It sends four members to the Assembly, elected by Districts. The First District is composed of the First, Second, Third and Fifteenth Wards of Albany, and the towns of Bethlehem, Berne, Coeymans, Rensselaerville and Westerlo; Second District: Tenth, Eleventh, Fourteenth, Sixteenth and Seventeenth Wards of Albany, and towns of Guilderland, Knox and New Scotland; the Third District: Fourth, Fifth, Sixth, Seventh, Eighth, Twelfth, Thirteenth and part of the Ninth Wards of Albany; the Fourth District the remainder of the Ninth Ward of Albany, Cohoes and Watervliet.

A list of the Albany County Members appears in the County history.

The first session of the New York Legislature under that Constitution began in September, 1777, holding two subsequent meetings that year at Poughkeepsie. The second session was held continuously at Poughkeepsie; but the third began at Kingston, August 18, 1779, and adjourned October 25th, to meet at Albany, January 27, 1780; adjourned March 14th, to meet at Kingston, April 22d; and adjourned July 2, 1780.

The session of January 27, 1780, was the first legislative session held in Albany after the Revolution. The January term of 1781—the fourth session—began on the seventeenth of that month, and was held at Albany in the old Stadt Huys. After this, the legislative sessions were held at Poughkeepsie, New York and Albany until January 3, 1798, since which time they have been regularly held at Albany. They were mostly held in the old Stadt Huys, until the completion of what is now spoken of as the Old Capitol in 1808.

The sessions close or adjourn *sine die* by concurrent vote of Assembly and Senate. We give

the dates of closing the regular sessions from 1831 to 1885:

April 26, 1831; July 2, 1832; April 30, 1833; May 6, 1834; May 11, 1835; May 26, 1836; May 16, 1837; April 18, 1838; May 7, 1839; May 14, 1840; May 26, 1841; April 12, 1842; April 18, 1843; May 7, 1844; May 14, 1845; May 13, 1846; May 13, 1847; April 12, 1848; April 11, 1849; April 10, 1850; April 17, 1851; April 16, 1852; July 21, 1853; April 17, 1854; April 14, 1855; April 9, 1856; April 18, 1857; April 19, 1858; April 19, 1859; April 17, 1860; April 16, 1861; April 23, 1862; April 25, 1863; April 23, 1864; April 28, 1865; April 30, 1866; April 20, 1867; May 6, 1868; May 10, 1869; April 26, 1870; April 21, 1871; May 14, 1872; May 30, 1873; April 30, 1874; May 22, 1875; May 3, 1876; May 24, 1877; May 15, 1878; May 22, 1879; May 27, 1880; July 23, 1881; May 2, 1882; May 4, 1883; May 16, 1884.

#### OLD STATE HALL.

On February 14, 1797, a bill to erect a public building in the City of Albany, with a view of rendering it the permanent seat of government for the State, passed both branches of the Legislature and became a law.

A site for this building was selected on the corner of Lodge and State streets. It was the first public building erected by the State of New York in Albany after the Revolution.

Ground was broken for the building early in 1797, and pushed forward with such speed that it was completed in the spring of 1799. It is said that several sessions of the Legislature were held in it before the completion of the State Capitol in 1808.

The building is still standing and in a perfect state of preservation, presenting nearly the same external appearance it did when first built. It is built of brick, four stories high, fronting on State street, with a wing extending back on the west side of Lodge street.

In the eastern wall of the lower hall, there is a white marble tablet, bearing the following inscription:

Erected for State Purposes,

A. D. 1797.

John Jay, Governor.

Philip Schuyler, Abraham Ten Broeck, Teunis T. Van Vechten, Daniel Hale, Jeremiah Van Rensselaer, Commissioners.

William Sanders,

Arch.

In this building were the State departments—Secretary of State, Comptroller, State Treasurer, Attorney-General, State Engineer and Surveyor, and Surveyor-General. And here, for a time, was the Executive Chamber. It continued to be occupied by those officers until 1840, when they were moved to the new State Hall, under the recommendation of Governor Seward. The State Museum, organized in 1836, was placed in this building. This

museum embraces nearly all the natural productions of the State of New York, in the several departments of botany, zoology, geology, and mineralogy. The Old State Hall was thus made the depository of the collections in these departments.

The internal arrangement of the building has been subjected to such changes as were necessary to render it convenient for the purpose to which it was devoted after it ceased to become a hall for legislative and executive purposes.

At a later period the State Agricultural Society was authorized by law to occupy a part of the building. The two organizations—the State Museum and the State Agricultural Society—occupied so much space that the building was inadequate to their accommodation; whereupon the Legislature made appropriation for a new building, to be erected in the rear of the Old Capitol; and the libraries, antiquities and other collections, especially those of a literary and art character, were removed to it in 1858.

In 1865 the Legislature passed resolutions, recognizing the importance of making the State Cabinet of Natural History a museum of scientific and practical geology and comparative zoology. In 1870 the Legislature passed a law organizing the State Museum of Natural History, and providing an annual appropriation for its support.

This old hall, occupied for the purposes we have described, has been known from that time as Geological Hall.

### GEOLOGICAL HALL

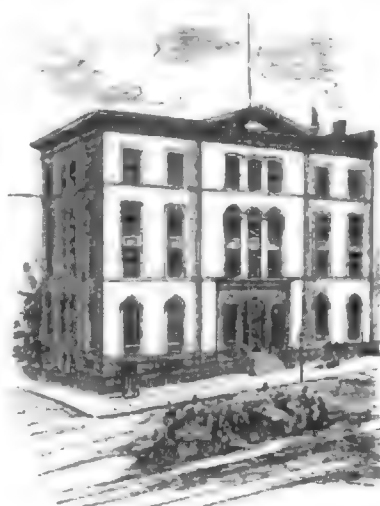
Has become one of the most interesting and instructive places in the City of Albany.

The following from the "Albany Hand-book for 1884," compiled by H. P. Phelps, gives a very adequate description of the internal arrangement of Agricultural and Geological Hall:

The wing on Lodge street, in the rear of the building, is three stories high. On the ground floor is a large lecture-room, while in the other stories is the Museum, containing the agricultural implements and products in the stories above. On the lower or basement floor, and on the same level as the lecture-room, at the east end of the main building, are two rooms occupied with the work of cutting and preparing thin sections of fossils of minute structure for the purpose of microscopic study in the Museum. The machinery and appliances for this work are of superior character, and the results are of great importance and interest to the Museum and to science. The first floor of the main building is occupied by the offices and libraries of the State Museum and of the State Agricultural Society; and, in the rear of the former, a large working room is furnished with about 300 drawers for the reception of collections in process of preparation and arrangement. The main entrance hall exhibits a collection of dressed blocks of granite, marble, freestone, etc., the products of New York and adjacent States.

The second floor is occupied by the collections illustrating the geology and paleontology of the State. The wall cases, and a single series of table-cases around the room, are occupied by the rock specimens, whether fossiliferous or otherwise, and are arranged in such order that in going from left to right they show the geological superposition of the formations, each right-hand case containing specimens of the rock or formation lying next above the one on the left. This is supplemented by a colored geological section extending around the room above the cases, and so arranged that each formation shown in the section is represented by characteristic specimens in the case below. Besides

this illustration, there are enlarged figures of the characteristic fossils placed in the part of the cases above each formation. The entire arrangement is simple, instructive and easily understood. The collection of fossils (paleontology) occupies the tables, the table cases in the central portion of the floor, and also a large number of drawers beneath the table cases. This collection is arranged in the same simple and systematic order as the geological formations. Under each formation is a natural history arrangement of the genera and species of the fossils. This collection of rock specimens and fossils presents the most complete geological series of the older rocks to the base of the coal measures of any in the world; the older or paleoic rocks of the State of New York being more complete in their order of succession. Also along the west side of the room are arranged a series of large blocks of magnetic iron ore representing the principal mines of Northern New York and Orange County.



Geological Hall.

The third floor is occupied by collections from geological formations above the coal measures, both American and European, and by the mineralogical collection. The fossil series represents the period from the new red sandstone to the pleistocene. The pleistocene of North America is represented by the Cohoes mastodon skeleton, and other remains of mastodon and fossil elephants from different points. The pleistocene of South America by the cast of the gigantic megatherium and other forms of that age; and the same of Europe by the skeleton of the *Megaceros Hibernicus*. The wall cases are in part occupied by a collection of the minerals of the State, and in part devoted to a general collection of minerals from all parts of the world.

The fourth story is occupied by the zoological collection. The western part of the room is devoted especially to the New York fauna, which is represented in its mammals, birds, reptiles, fishes, crustaceans, and shells. The eastern part of the room is occupied by a case containing a large collection of birds, with some mammals, which were presented to the Museum as a special collection by Mr. de Rham, of New York, and is known as the De Rham collection. The ethnological and historical collections occupy some wall cases on the north side of the room, and the central north side by cases of corals, etc. The center of the room contains the two double ranges of table cases, comprising the Gould collection of 6,000 species of shells, of more than 60,000 specimens. Since 1866 the collections in the Museum have been more than doubled in every department. At present every available space in the Museum is filled. All the collections are arranged for study and comparison, and the museum is strictly an educational institution.

Being a State institution it should be considered as cosmopolitan. Its institutions are to cover the whole field of natural research, and to be a center for the dissemination of a technical and popular knowledge of the products, fauna and flora of the Empire State. With this view, it should be an object of interest for the remote portions of the State as well as the immediate locality.

## NEW STATE HALL.

This edifice, located on Eagle street, was completed in 1842, and was occupied by the officers of the various State departments, who removed thither from the Old State Hall.

After the adoption of the Constitution of 1846, which created a Court of Appeals in place of the old Court for the Correction of Errors, a part of this hall was appropriated to the Clerk of that Court. He is the custodian of all the legal documents, records, and books kept in the four Supreme

Court Clerk's offices in the State, and in the offices of the Clerks in Chancery. All of these offices were abolished by this Constitution. He was also the custodian of the vast sums of money, which for nearly a century had been accumulating in those Courts. The rooms devoted to the Clerk of the Court of Appeals are in the southwest corner of the second story of this building. As these State departments have most of them been removed, or will soon be, to the New Capitol, a further description of them will be found in what we have to say in regard to that edifice.



NEW STATE HALL.

This State Hall is still a very substantial and handsome building. Until the beauties of its architecture were eclipsed by the elegant and commodious City Hall, which stands directly south of it, it was regarded as one of the finest buildings in the city. It cost the State \$350,000. It is built of the white stone from the quarries at Sing Sing. The quality of this stone is the perfect manner in which it resists the vicissitudes of weather. It is more beautiful than marble and as enduring as granite. The building is 138 by 88 feet, and is 65 feet in height. A spiral stone stairway, with an artistic iron railing, leads from the floor to the attic. The whole building is surmounted by a low, well-formed dome, which furnishes light to the stairway below. The building is fire-proof. The principal stories have what are called groined arches. It is one of the first fire-proof buildings erected in Albany.

This State Hall, so long the depository of the State Records, and the place where State dignitaries most did congregate, has had its day, so far at least as the purposes for which it was erected are concerned. Few of the State officials, with their subordinates are now seen there. Their offices are mostly in the New Capitol. It is understood that the State cabinets in Geological Hall will soon be placed here.

## THE OLD CAPITOL.

The City and County of Albany prides itself on the fact that its generous contributions aided largely in the erection of the Old Capitol.

In 1803, the Common Council of the city adopted a resolution requesting the Legislature to pass an act authorizing the erection of a State House and Court House, and appointed a committee to prepare a petition and map, and to report an estimate of the cost. The committee consisted of John Cuyler, Charles D. Cooper, and John V. N. Yates. This committee submitted their report March 7, 1803, and the Legislature authorized the erection of the building, then known as the New Capitol, by an act passed April 6, 1804.

The Capitol Commissioners appointed on the Old Capitol were John Taylor, Daniel Hale, Philip S. Van Rensselaer, Simeon De Witt, Nicholas N. Quackenbush.

This act is a characteristic specimen of the legislative methods of that day. The bill for its erection was entitled: "An Act Making Provisions for the Improvement of Hudson River below Albany, and for Other Purposes."

After providing for some improvement in the Hudson at Troy and Waterford, above Albany, it appoints John Taylor, Daniel Hale, Philip S.

Van Rensselaer, Simeon De Witt, and Nicholas N. Quackenbush, Commissioners for erecting the New Capitol Building. It required the Supervisors of Albany County to raise by tax \$12,000 for such purposes, and it contained the following provisions:

VI. And be it further enacted, that the managers of the Lottery hereinbefore mentioned shall cause to be raised by Lottery the sum of \$12,000, in such manner as they, or a majority of them, shall think proper, which sum the said managers shall pay to the Commissioners aforesaid.

At that day the State lotteries held intimate relations with the finances of this State. These lotteries were authorized by law. Upon their managers devolved the raising of funds for the opening of roads, improving rivers, building bridges, and the advancement of great enterprises generally, now thrown upon the taxpayers.

The lotteries were originally established to aid in the endowment of schools under an act for the "encouragement of literature." The early colleges of the States depended largely upon the lotteries. During the legislative session of 1812, a law was passed giving \$200,000 to Union College, and smaller sums to Hamilton and Columbia Colleges, and other institutions, upon the lottery plan.

At length the lottery system became corrupt and unpopular. The provision abolishing lotteries, in the Constitution of 1821, was supplemented by a provision, now in force in the Constitution of to-day (Article I, Section 10), which reads thus: "Nor shall any lottery hereafter be authorized, nor any sale of lottery tickets allowed, within this State." The original appropriation for the Capitol was but \$24,000, added to the proceeds of the sale of the old Stadt Huys, whatever they might be; but the building cost the sum of \$110,688.42. This included the furnishing of the Council Chamber. Of this sum the City of Albany paid \$34,200, the County of Albany \$3,000, and the State \$73,485.42. This was hardly sufficient to pay for painting and plastering the new building.

The Commissioners chose Pinkster's Hill as the site of the Capitol. On April 23, 1806, the corner-stone was laid with impressive ceremonies. Philip S. Van Rensselaer was then Mayor of Albany, and to him was assigned the duty of placing the stone in position. A large concourse of people were assembled, among whom were John Lansing, Jr., Chancellor of the State; Morgan Lewis, Chief Justice; Ambrose Spencer, Smith Thompson and Brockholst Livingston, Justices of the Supreme Court; the Members of the City Corporation and other dignitaries.

The building was first occupied by the Senate and Assembly at a special session of the Legislature, convened November 1, 1808. It was considered a magnificent edifice, an object of as much curiosity and interest as is the new Capitol to-day. People from all parts of the State and nation visited it. In 1813, Professor Silliman, of Yale College, visited it and wrote an elaborate description of it, in which he said: "It is a large, handsome building, the furniture exhibiting a good degree of taste and splendor."

H. G. Spafford, describing the building, said of the Senate and Assembly Chambers, which were on the same floor: "In the furniture of these rooms there is a display of public munificence. The American eagle assumes almost imperial splendor. It stands at the head of State street, 130 feet above the level of the Hudson. It is a substantial stone building, faced with freestone taken from the brown sandstone quarries on the Hudson, below the Highlands. The walls are 50 feet high, consisting of two stories, and a basement story of 10 feet. The east or main front is adorned with a portico of the Ionic order, tetrastyle, the entablature supporting an angular pediment in the tympanum of which is to be placed the Arms of the State. The ceiling of the wall is supported by a double row of reeded columns; the floors are vaulted and laid with squares of Italian marble; the building is roofed with a double hip of pyramidal form, upon the center of which is a circular cupola, 20 feet in diameter. On its dome is a statue of Themis, facing eastward—a carved figure of wood, 11 feet in height, holding a sword in her right hand and the balance in her left."

The above is a good description of the Old Capitol as it appeared in 1883, when it was taken down, with the exception of some few additions which had been made in its rear. The interior, with some exceptions, was at that time about the same as it was when first occupied. We give below the changes which were made.

To the Executive Chamber there was made, during the Rebellion, an additional room, extending into the main hall. In other respects it was the same in 1883 as in 1808. To the departments occupied by the Adjutant-General, previous to the removal of the building, was added another room during the war. This room was devoted to the Common Council of the City of Albany. Various additions have been made from time to time in the rear of the Assembly Chamber. The Senate Chamber was originally to the left of the Assembly on entering from the main hall. It was, however, removed to the large room on the second floor, and the old Senate Chamber was used by the Department of Public Instruction, and latterly as the Post-office and cloak-room of the Assembly. When the Senate Chamber was removed to the second floor, a floor was constructed and additional rooms were added to the building. In one of these the Supervisors of Albany County held their meetings. On the upper floor the Supreme Court originally occupied the main room. It was afterwards occupied by the Court of Appeals, and one winter by the Senate. The other rooms were occupied by the Court of Chancery, the Court of Common Pleas, the Court of Sessions and the Mayor's Court. The Mayor's office was in the attic, as were also the rooms of the Society of Arts, the State Library and the State Board of Agriculture. The basement was devoted to the offices of the County Clerk, City Marshal and the rooms of the Keeper of the Capitol.

It is singular that there was not a committee room in the entire building. It can hardly be conceived that the building could ever have rendered

accommodations for such a number of public offices; but this arrangement continued till the completion of the City Hall in 1831, when the city and county officers were removed to that building. After that time various changes took place. A new State library was built, under the law of 1851, and large additions were made to the rear of the building; but it was not even then rendered adequate to the needs of the State.

Congress Hall stood almost adjoining the Old Capitol on the north, a famous hotel of the past. For many years it was the resort of senators, assemblymen, lobbyists, judges and lawyers.

Owing to the overcrowded state of the Capitol, a part of this hotel, a private house, and many rooms in the Delavan House, were used for committee rooms.

The Governor's room, to which we have alluded, was on the south side of the Capitol, its windows opening on State street, its entrance being from the south side of the hall of the Capitol. Over its door appeared the well-remembered words: "Executive Chamber." This door led into a room occupied by the Governor's clerks; to the left, folding-doors opened directly into the Governor's room. The addition made during the war was occupied by the Governor's Military Secretary. The room had few decorations; a portrait of Lafayette, by Charles Ingham, was about the only embellishment the room contained. It is a full-length portrait, a fine work of art, and represents very correctly the features of its illustrious original. It now hangs in the Executive Chamber of the new Capitol.

A large table, the office desk of the Governors, stood in the center of the room. A desk for the Private Secretary, book-cases, sofas, and some easy chairs, made up its furniture.

The old Senate Chamber, a very handsome room, exceedingly appropriate for legislative purposes, was embellished with portraits of three distinguished men—Christopher Columbus, George Clinton and Stewart L. Woodford. The first of these was presented to the Senate, in 1784, by Maria Farmer, a descendant of the honest Jacob Leisler, once *de facto* Colonial Governor of New York, murdered by his enemies for high treason while guilty of no crime. The picture of Clinton is painted from life, and is an artistic work. The portrait of Woodford was presented to the Senate by his friends in the Senate of 1868.

The doorways of the Senate Chamber were ornamented with a sculptured cornice familiar to the architecture of seventy years ago. A tall Dutch clock, that for nearly a century noted the official hours of assembling and adjourning, was a main feature of the chamber. The galleries were a fiction of language, being on the same level as the main floor.

#### JAMES W. EATON.

The subject of this sketch, James Webster Eaton, was born August 22, 1817, at Summerville, N. J. His father, Josiah Eaton, came from Keene, N. H., and was descended from old Puritan stock which had taken root in the Massachusetts Bay Colony

in the early days, whence the descendants had spread out over New England. His mother, Gertrude MacEaton, was of Scotch-German parentage and was born in New Jersey. Both were intelligent, industrious, God-fearing people. In 1828, young Eaton removed with his parents to Albany, where, not long after, he began to learn the trade of his father, that of a stonemason. Born with the heritage of respectable poverty, which has been the spur of ambition to so many, he diligently laid hold of every opportunity for self-improvement, and while he spent the summer working at his trade, in the winter he attended the old Lancaster School and a private school kept by Mr. Fitch, both of which are names familiar to many old Albanians, who gained there that modest, but efficient education which has been so great an element in their subsequent success. In 1840, Mr. Eaton married Eliza M. Benner, who is still living. By this marriage there were three children, two of whom survive: Calvin Ward, who is a member of the firm of Van Santford & Eaton, wholesale lumber dealers, and James Webster, Jr., who is a recent graduate of Yale and the senior partner of the law firm of Eaton & Kirchwey. About the time of his marriage, Mr. Eaton embarked in the building business which he has since followed. His sterling integrity, indomitable purpose and business sagacity, slowly, but surely, won for him the victory over adverse circumstances. The histories of such lives would be interesting commentaries on the influence of character over fortune, if they could be written out; but such a history must usually be read in the tangible achievements of painstaking effort. In his business career, Mr. Eaton has probably done as much as any other one man to beautify the city of his residence. Over five hundred of the most noteworthy of the public and business buildings, and the most elegant of the private residences in Albany, have been erected by him, and his reputation as a builder is unsurpassed. In 1874, he was appointed by Governor Dix, Superintendent of Construction of the New Capitol, an office which he held during four successive administrations until the position itself was abolished in 1883. This magnificent structure, most of which was erected under his supervision, and over the practical details of which he had control, is an enduring monument to his administrative capacity as well as mechanical skill. In these days of political jobs, it is a significant and gratifying fact, that men of all political faiths who are conversant with the management of this great work, unite voluntarily, asserting that no suspicion of unfairness or undue partizanship has ever clung to him. Whatever may be the criticisms made upon the design of the Capitol, or the materials used in it, or the method of administration under the old Commission—for which Mr. Eaton was of course in no way responsible and over which he had no control—it is safe to assert, without fear of contradiction, that the State never had a more honest, fearless, and efficient servant. So far as the appointments made by him, personally, were concerned, his administration was an





Figure 1. A large, dark, rectangular object, possibly a book or a box, lying horizontally.



a New Capitol. This proposal was at once accepted, and, on May 1, 1865, an act authorizing the erection of a New Capitol, at Albany, passed the Legislature. The grand structure now known as the New Capitol was, by excavating and laying foundations, begun July 7, 1869.

It was not until early in the summer of 1871 that the superstructure was ready to receive the corner-stone. June 24, 1871, was designated as the day. The exercises attending this work were grand and imposing. An introductory address was delivered by the Hon. Hamilton Harris, followed by reading a list of the documents placed in the corner-stone, by Hon. William A. Rice; an address by Governor John T. Hoffman; and Masonic ceremonies conducted by Most Worshipful John Anton, Grand Master of the Grand Masonic Lodge of the State.

The liberal spirit of the citizens of Albany was exhibited in a marked manner in the erection of the New Capitol. To Hon. Hamilton Harris, President of the Board of Capitol Commissioners, and to his exertions in the Senate, the State and the City of Albany are largely indebted for the successful manner in which the work was from the first pushed forward. By a concurrent resolution adopted May 14, 1878, the Legislature declared the new building to be the Capitol of the State of New York, and it was formally occupied as such January 7, 1879. The same evening the citizens of Albany gave a reception in honor of the event, and commemorative exercises were held under authority of the Legislature on the 12th of February following.

**NEW CAPITOL COMMISSIONERS.**—Hamilton Harris, May 3, 1866; John V. L. Pruyn, May 3, 1866; Obadiah B. Latham, May 3, 1866; James S. Thayer, May 19, 1868; William A. Rice, May 19, 1868; James Terwilliger, May 19, 1868; John T. Hudson, May 19, 1868; Alonzo B. Cornell, May 19, 1868.

**SECOND BOARD.**—Hamilton Harris, April 26, 1871; William C. Kingsley, April 26, 1871; William A. Rice, April 26, 1871; Chauncey M. Depew, April 26, 1871; Delos De Wolf, April 26, 1871; Edwin A. Merritt, April 26, 1871.

**ARCHITECTS**—Thomas Fuller, August 12, 1868; Eidlitz, Richardson & Co., September 12, 1876.

**SUPERINTENDENTS.**—John Bridgeford, September 10, 1868; William J. McAlpine, June 11, 1873; James W. Eaton, June 12, 1874.

The Second Board was superseded by Act of the Legislature of 1875, and the Lieutenant-Governor, Attorney-General, and Auditor of the Canal Department were constituted Commissioners of the New Capitol. An Advisory Board to the Commissioners was appointed July 15, 1875, consisting of F. Law Olmsted, Leopold Eidlitz and Henry Richardson. This board was superseded by the appointment of architects in 1876. An Act passed March 30, 1883, authorized the Governor, by and with the advice and consent of the Senate, to appoint an officer to be known as the Commissioner of the New Capitol, who shall have charge of the work of

constructing and finishing the building. He is authorized to employ labor, purchase material and make contracts, which, in all cases, must be awarded to the lowest *bona fide* responsible bidder. He is required to give a bond for \$50,000, conditioned for the faithful performance of the duties of his office. His term of office is the same as that of the Governor, from whom he receives his appointment. His salary is \$7,500 per annum. The same Act abolished the office of Superintendent of the Capitol.

A subsequent law of the same year designated the Governor, Lieutenant-Governor and Speaker of the Assembly, *ex officio*, trustees of the finished parts of the building, and of several other public buildings of the State at Albany, for which they are to appoint a Superintendent at an annual salary of \$3,500.

After the laying of the corner-stone, the work on the building was continued with more or less rapidity, according to the appropriation of funds.

There were times of entire cessation from work for lack of funds. In 1874 no work was done upon it for six months.

It is now occupied by the Senate and Assembly, the Court of Appeal, and nearly all the State Departments.

**THE FOUNDATION.**—To receive the foundation, the earth was excavated to an average depth of 15- $\frac{1}{2}$  feet below the surface. Then concrete to the thickness of four feet was first laid down. The material for this was of a nature that indurates with the lapse of time, so that a stone floor now exists which is every year approaching the hardness and duration of granite. The sub-basement extends down nineteen feet four inches, and contains 935,000 cubic feet of stone. The brick walls are from thirty-two inches to five feet thick, containing between ten and eleven million bricks. The foundation of the main tower is one hundred and ten feet square at the base, tapering to seventy feet square at the basement floor. The sub-basement is divided into one hundred and forty-four different apartments, and is utilized for heating, storing and ventilating purposes.

The immense boilers in the sub-basement used for propelling machinery for heating, lighting and ventilating purposes have long been regarded as dangerously located. They were considered liable to explode. They were also the source of other inconveniences. A proposal to remove them to a building adjacent to the Capitol, to be constructed by the State for this purpose, has been agitated for several sessions of the Legislature. The Legislature of 1885 passed an Act providing for the erection of a building for a boiler-house with chimney-stack, having a conduit running from the boiler-house to the Capitol.

The foundation of the boiler-house is seven feet below the sidewalk at the corner of Lafayette and Hawk streets, the walls three feet wide. From floor levels to the water tables the walls are two feet thick, faced with dressed stone. Water tables blue stone, and the wall above faced with pressed brick, tower included. The roof is supported by iron trusses, peaked and slated. The floor is bricked or flagged. The chimney is 100 feet high, built of hard brick;

at the base it is fourteen feet square and ten and one-half feet in diameter at the top. The conduit comprises cast-iron tubes in lengths of six feet, clearing six feet in the diameter and an inch thick. Two ten-inch steam-pipes must run through it to connect the Capitol with the battery of boilers. The return pipes are four inches in diameter. For 270 feet the Washington avenue drains are lowered three feet, and for 300 feet the Lafayette street drains are lowered eight feet. There are five boilers, each 150-horse power. The plates are made of the best quality of Otis homogeneous steel, with tensile strength of 60,000 pounds to the inch of area.

The responsibility of making this construction and the removal was committed to Hon. Charles B. Andrews, Superintendent of Public Buildings and Grounds in Albany belonging to the State.

The Capitol is now lighted by magnificent electric lights. The Senate, Assembly and Court of Appeals and other larger rooms are illuminated by the incandescent light. The effect of these lights can scarcely be described, but must be seen to be appreciated.

The Capitol is magnificently situated in what will be hereafter known as Capitol square, including the land between Eagle street on the east, Capitol place on the west, with Washington avenue on the north, and State street on the south. The length is 1,034 feet, the width 330, containing in all  $7\frac{3}{4}$  acres.

Capitol place is 155 feet above the level of the Hudson, and the land slopes to the east 51 feet. State street leads directly up from Broadway to the Capitol.

One of the first impressions of the traveler as he beholds the building is its immense proportions. It occupies  $3\frac{3}{4}$  acres of land. It is 300 feet from north to south, and 400 feet from east to west. The walls are 108 feet high from the water-table, and are composed of granite, most of it from Hallöwell, Maine.

The Central Court is 137 by 92 feet, extending an open space to the sky and admitting much needed light and air. Above the six dormer windows that open on the Court that are above the fourth or gallery story, are sculptured the arms of six families more or less distinguished in the history of the State. The Stuyvesant Arms are on the north side, west; Schuyler arms on the north side, middle; the Livingston arms on the north side, east; the Jay arms are on the south side, west; the Clinton arms are on the south side, middle; the Tompkins arms are on the south side, east.

The carvings descriptive of these arms, with the mottoes, are beautifully wrought, and blend with fine effect in the whole entablature on which they appear.

We take the following description of the Capitol from H. P. Phelps' admirably compiled work, "The Albany Hand-book."

The first or ground story, which is nearly on a level with Washington avenue and State street, is devoted to committee rooms and offices elsewhere specified. Ascent to the other stories may be made by elevators, but visitors will generally prefer to walk up one or the other of the grand staircases.

THE ASSEMBLY STAIRCASE, on the north side, is of Dorchester freestone of soft drab color; its ascent is easy; its design vigorous and scholarly. The views of it so often seen give a better idea of its majestic proportions than words can do.

THE GOLDEN CORRIDOR.—On arriving upon the second floor by the Assembly Staircase will be seen the Golden Corridor, 140 feet long by 20 wide and about twenty-five feet high, extending along the whole court side of the north center. Seven large windows opening upon this court divide the corridor into bays, twenty feet square. Each bay is flanked by piers, between which arches are turned, and these arches sustain a low and ribless groined vault.

Mr. Montgomery Schuyler says:

"The piers are covered with a damask of red upon umber. The angle moldings are solidly gilded. The crimson wall screen on both sides is overlaid with a simple reticulation of gold lines framing ornaments in yellow. The whole vault is gilded, and upon its ground of gold traversing each face of the vault, is a series of bands of minute ornament in brown, scarlet and deep blue. The method—this close mosaic of minute quantities of crude color—is entirely Oriental in treatment and effect. The varying surfaces of the vaulting, each covered with fretted gold, give a vista, lengthened by the dwindling arches, alive with flashing lights and shimmering shadows. Opening out of the corridor to the right is the room originally intended for the Court of Appeals, but declined by the Judge as unsuitable for their purpose. It is sixty feet square and twenty-five feet high, subdivided into parallelograms, one twice the width of the other, by a line of red granite columns carrying with broad, low arches a marble wall. The walls are of sandstone, visible in some places, but covered in most with a decoration in deep red, and with the tall wainscoting of oak, which occupy the wall above the dado of sandstone. The ceiling is a superb construction in carved oak, carried on a system of beams diminishing in size from the great girders supported by great braces, and finally closed by oaken panels, profusely carved. The Senate occupied this room previous to the completion of the Senate Chamber, and it has been used for various purposes. At the time of the scare, in relation to the ceiling of the Assembly Chamber, in 1882-83, it was hastily fitted up for the occupation of the Assembly with gallery, etc. The members sat there one day and returned to their quarters. When the State Library Building was razed, this room and the Golden Corridor were utilized temporarily for library purposes.

THE ASSEMBLY CHAMBER.—Ascending another flight of the staircase we come to what is, without doubt, the grandest legislative hall in the world—the Assembly Chamber—84x140 feet by including the galleries, although the chamber proper is but 84 by 85 feet. Four great pillars, 4 feet in diameter, of red granite, sustain the largest groined stone arch in the world, the key-stone being 56 feet from the floor. These pillars, and the arch which springs from them, are the most striking features

of the room, but it will bear a world of study. While all admit the grandeur of the work, its vastness is also its defect; for as a debating hall it is far from perfect. With the Assembly in perfect order (a condition rarely observed for ten consecutive minutes) a good speaker cannot be heard without difficulty, but the Statesman with weak lungs, poor voice, uninteresting manner, or threadbare subject, is apt to complain bitterly of the acoustics. It had been found necessary, in order to keep the key-stone in place, to weight it very heavily; this extra weight upon the sandstone caused some of the defective stones to crack. Small pieces fell, and there was much apprehension that the building was settling unevenly, and that the tons upon tons of stone in and about the ceiling would some day come down with a crash. A commission of experts reported that it was best to take the ceiling down. The architects protested and offered to repair it at their own expense; they were allowed to do so, replaced the defective stones, and all anxiety appears to have subsided.

**THE ALLEGORICAL PICTURES.**—No one feature of the Capitol has caused more comment than the pictures that occupy the upper portions of the north and south walls of this chamber. They were painted by the late William M. Hunt, one of the greatest of American artists, and possess a melancholy interest from the fact that they are the only work of the kind he ever did. He received for his services fifteen thousand dollars. The space covered by each is fifteen by forty feet. That on the northern wall represents the allegory of Armujd and Ahriman, or the flight of Evil before Good; or, as is more frequently interpreted, The Flight of Night. The Queen of Night is driving before the dawn, charioted on clouds drawn by three plunging horses, one black, one white, one red, without other visible restraint than that of a swarthy guide, who floats at the left of the picture, and whose hand is lightly laid upon the head of the outermost horse. At the right of the goddess, and in deep shade, is the recumbent figure of a sleeping mother with a sleeping child upon her breast. The picture on the southern wall represents the Discoverer standing upright in a boat, dark against a sunset sky. Fortune erect stands behind him trimming the sail with her lifted left hand while her right holds the tiller. The boat is rising to a sea, and is attended by Hope at the prow, with one arm resting on it, and one pointing forward; Faith, whose face is buried in her arms, and who is floating with the tide; and Science unrolling a chart at the side.

We are told that since Mr. Hunt's melancholy death on the Isle of Shoals, that the fifty-five days devoted by himself and his assistant to the painting of these pictures, by no means represented all the labor bestowed upon them. The Discoverer was first drawn in charcoal in 1857. The Flight of Night had been put on paper ten years earlier, and had been designed simply for an easel picture. After accepting the commission, Mr. Hunt's preparatory work in his studio in Boston was of nearly

five months' duration. For the Flight of Night, the heads of the horses, their legs and feet were all freshly painted from life. The Queen was painted from a model. Sleep and the child were painted from life; also the dusky guide. For the other picture, the Discoverer, Hope, Science, and Fortune were painted from life models. The heads, hands, and arms of these figures were also drawn and colored as separate studies. In all, thirty or more careful charcoal drawings and more than twelve pastels were made, besides nineteen complete copies in oil—seventeen, twelve by thirty inches, and two, six by eight feet. The work itself had to be done by a specified time, and this involved much anxiety. Each morning the artist and his assistant were up to catch from the rising sun a fresh impression to carry to the work upon the Flight of Night. Every evening they watched the waning daylight, and noted the effect of figures and objects against the setting sun, as a study for the Discoverer. Later on in the work, Mr. Hunt obtained from his assistant a solemn promise that if their effort proved a failure, he would paint out both pictures in a single night.

**THE SOUTH SIDE CORRIDOR.**—The Executive Chambers, or the Governor's rooms, are in the southeast corner on the second, or entrance floor. On the way to this portion of the Capitol, one is struck by two very important differences in construction between the southern corridors and the corresponding passages on the north side of the building. These differences consist in the use of colored marbles here for wainscoting, and in the admission of light by windows rising from the top of the wainscot above the level of the eye and surrounding the doors leading into the various committee rooms that receive direct light. The effect of the wainscot is of great richness and variety, and it also seems substantial and enduring. The richness and variety of color is truly wonderful, and it contains in low tones more combinations than the most elaborate palettes of a painter could reach in a lifetime. The most prominent tints are shades and hues of red, and these are relieved by numberless colder tones, grays and browns predominating. The marble has been selected upon a harmonious scale of color, and is put together in simple slabs, the joining edges of which are beveled perpendicularly, and are held in place by a slightly convex string molding and a cap of brownstone, which, where they abut upon doors, are daintily carved into terminal bosses, while the whole rests upon a molded base of brownstone. This wainscot is more pleasing than any combination of tiles could be, but its effect would be entirely thrown away were it not for the means adopted for lighting the corridors through the windows above mentioned.

**THE GOVERNOR'S ROOM** is sixty feet long by forty wide; the walls are wainscoted to a height of fifteen or sixteen feet with mahogany, arranged in square panels surmounted with a band of carving and a carved molding above. The space between this and the ceiling of mahogany is covered with

hangings of Spanish leather, which harmonize, in its soft tones of golden-brown, and red, and olive, with the mahogany. On one side of the room is an enormous fire-place having a shelf and several emblematic panels of elaborate carving about it. The ceiling is composed of beams, which divide the space into panels, having rails perforated in the form of a quatrefoil surrounding the panel. There are convenient arrangements to connect with the offices of the executive attendants and the bill room by small doors in the paneling, and altogether the room is well adapted to the reception of persons having business to transact with the Governor and his assistants.

**THE CORRIDOR OF COLUMNS.**—Ascending from this floor by the commodious and easy running elevator, we find ourselves in a corridor similar to that previously described, which leads into a broader one, running east and west along the north side of the Senate Chamber. This last-named corridor, which is after plans furnished by Mr. Eidlitz, is entirely lined and vaulted with sandstone, and has a row of columns in the center, above which there is a double-arched vault extending to either wall. Upon this spacious corridor open the main doors leading to the Senate Chamber.

**THE SENATE CHAMBER,** in the richness and variety of its decoration, is equaled only by the famous St. Mark's Cathedral in Venice. Its treatment was assigned to Mr. Richardson, and of his success there can be no question. The space in which he had to work was sixty feet in breadth, nearly one hundred in length, and about fifty in height. He has reduced the plan of the room to a nearly square form, cutting off from either end of it the lobbies, above which are placed the galleries, opening on the chamber proper. These lobbies, opening from the corridors, are simple in treatment. Yet by a slight similarity in detail they, in a measure, prepare the eye for the Senate Chamber itself. They are wainscoted with a light marble, arranged panelwise in slabs and rails, and are ceiled with quartered oak. From the west lobby opens the Lieutenant-Governor's room, comfortably fitted up with a carved and polished mahogany wainscot and fire-place, and an oak ceiling supported on corbels of marble. By the arrangement of the galleries over the lobbies, the actual floor space of the Senate Chamber proper is reduced to about sixty feet by fifty-five. Entering on this floor by the main doorway from the vaulted corridor above described we first see the south wall, from which the chamber is lighted by three large openings rising from a level with the floor and six lesser openings near the ceiling. Two of the large windows are filled with disks of stained glass, which shade from browns and rubies near the floor through olives and golden hues to the semicircular tops, which are filled with varied iridescent and opalescent tints. The central window is obscured by the reredos behind the president's desk, which rises to the spring of the window arches, but does not cover the semicircular window-head, which, like the others, is filled with many-

hued opalescent glass. The stained glass has been used not only to add brilliancy of color, but to avoid the glare of light that has proved so objectionable in some of the other rooms. These windows are arched, and the stone moldings above and below them are carved with intricate and delicate patterns of interwoven lace-like forms, and a carved band of stone divides the lower part of each window from the semicircular upper light. The capitals of the angle columns are more heavily cut into conventional forms taken from oak leaves and other foliage. The wall space between the windows, as far up as the spring of the arches, is of Knoxville Tenn., marble, a reddish-gray stone not highly polished, though having a smooth finish.

**THE MEXICAN ONYX PANELING.**—Above the three arches of the lower windows for about twelve feet (perpendicular), the wall is paneled with Mexican onyx. These panels are cut into slabs three feet square and are separated, or rather framed, by slightly convex rails of Sienna (Italy) marble, the mottled reds, yellows, and browns of which contrast with the tints of the onyx. For additional support the slabs are backed up with slabs of ordinary marble. The variety of color displayed in the onyx is very remarkable, the prevailing tints being mottled and semi-translucent whites, cream colors, sea-water, olive and ivory. These tints are broken and waved by lines, striæ and splashes of raw Sienna coloring, rosy brown, and numberless shades of other neutral browns, some inclining toward red and some toward green and even blue, while the surface everywhere varies in play of light and shade of semi-opacity and translucence. The various slabs, no two of which are alike, are arranged with a certain idea of contrast, but never formally nor with regularity of counter-change. They are laid haphazard with a motive. The dividing rails of Sienna marble are of colors that harmonize admirably with those of the onyx, being principally yellows of a soft golden character and reddish-brown mottled, the intensity of which is varied in every piece, and sometimes approaches so nearly the color of an adjacent slab of onyx as to melt into it. Both panels and rails are highly polished. Above this paneling is a string course of simply carved marble, and above this is the upper tier of windows, six in number. The shape and treatment are similar to those of the lower windows. The wall space above these windows is filled in with lead, heavily gilded, constituting a sort of frieze. The ornament of this is a carefully studied design of arabesque or floral pattern, beaten out or embossed by means of hammers, stamps and dies of various sizes and shapes, thus affording a varied play of light and shade on the gilt surface. This field of gold, being absolutely neutral, adapts itself to the color of the surrounding objects, and in the elevation and depression of its beaten and stamped surface supplies the complementary colors necessary to complete the color harmony of the whole chamber. Above the broad frieze of beaten gold, and terminating the wall are the massive carved beams of oak, more than four

feet in depth, which constitute the framework of the ceiling. These great beams are supported on stone corbels sunk into the walls and projecting under the beams. The corbels are carved into bold and vigorous forms derived from foliage and flowers. The main beams divide the ceiling into long, narrow, rectangular spaces running from east to west, and these spaces are divided into lesser rectangular spaces running north and south, which are again divided in half by smaller beams and form squares, which are still further divided by rails into four square panels each. Half way between the east and west walls is the main entrance of the corridor, and on either side of this entrance are two great open fire-places jutting out into the room. The doorway and fire-places are constructed of marble, as is the space between them. The openings of the fire-places are about six feet in height, and something more in breadth. The cheerful effect of these, when filled with blazing logs, the flames of which are reflected on the polished onyx and marble from all sides of the room, may well be imagined. Above the fire openings are to be carved legends or symbolical devices. Above these are the broad faces of the chimney-breasts, which are to be cut in bas-relief, with representations of historical or legendary scenes, emblematical of or illustrating the legislative character of the room. The whole chimney-pieces are about half as high as the room, reaching to the string course below the gold frieze. Above the doorway and wall space of Knoxville marble, we see the wall space up to the frieze covered with the Mexican onyx panel, and like the frieze, in greater extent of surface than elsewhere. Above the onyx and inclosed within the frieze is a long rectangular space, which may be filled in with mural painting of some allegorical subject fitted to the place.

**THE COURT OF APPEALS.**—Nine spacious rooms are assigned for the Court of Appeals, six in the third or principal story, three in the fourth or gallery story, the two stories being connected by an ornamented iron staircase. The Court-room is in the southeast corner over the executive chamber, and is 35 by 53 feet and 25 feet high. It is finished in quartered red oak, timbered ceiling of the same material, with carved beams and deep recessed panels. The five window openings are finished with Knoxville marble, the arches resting on carved trusses and columns recessed into the angles formed by the jambs and outer belting, terminating in ornamental trusses. A deep carved wood string in line with the trusses, and the carved capitals of the marble columns divide the oak paneling on the walls into two parts. The framework of the upper section is filled in with large plain panels, and the intention is to decorate, by gilding, the rails. The panels are designed to be painted in varied designs to harmonize with the wood-carving. The lower section below the window arches stands upon a molded base and is filled in with double raised panels and sub divided longitudinally by carved string courses, containing between them a section of vertical fluted work, in which are fixed at intervals, in carved frames, the portraits of the judges,

many of which hung in the Court of Appeals' room of the Old Capitol. On the west side of the room is a recessed fire-place of large dimensions, over which is displayed the arms of the State, carved in the oaken panels of the mantel over the recess. The recess of the fire-place is lined with Sienna marble, and has a bench on either side of the fire-place of the same material. The lintel over the fire-place is also of Sienna marble, richly carved and extending across the whole recess. Resting on the lintel is a large panel composed of several choice specimens of Mexican onyx skillfully arranged. The Judge's bench has been carefully designed in style and form to suit the requirements and wishes of that honorable body. The front is divided into panels set in framework; the panels are exquisitely carved in varied designs and separated by ornamental balusters, the whole resting on a molded base. Carved in the center panel are the arms of the State. There is a medallion convex of carved grotesque heads located along the projecting top. Perhaps no room in the building is better adapted to its purpose than this.

**THE SOUTHEAST, OR SENATE STAIRCASE** occupies a space fifty-two by fifty-two, and one hundred and fourteen feet high from basement to the top of the walls. The stairs start on the ground floor on the south side and extend to the gallery story. The great platforms and steps are of Dorchester sandstone. Each story is divided into two sections by spacious intermediate platforms midway in each story, extending the whole distance between the north and south walls, a distance of fifty feet by twelve feet wide. The stairs are of easy ascent and grand and dignified in appearance. The upper landings of the stairs on each story are on platforms extending the whole length between the walls by fourteen feet wide, resting on the walls at either end, and supported at the cross-joints by massive molded granite girders. The west walls on the ground and entrance stories form a continuous line of niches, divided by piers and columns, embellished with molded brass and carved caps. The west wall in each of the four stories is pierced by large openings, through which light is admitted to the staircase from the court. The eastern wall in the entrance and main stories is provided with balconies, the platforms placed on a level with the tiled floors of the corridors adjoining. These balconies serve both as useful and ornamental features, and are approached through the openings made in the east wall, as heretofore described. The openings are spanned by pointed arches, the two outer arches extending over the steps. The faces of piers and arches are decorated by incised ornaments, the under side of arches by flowing lines of tracery, terminating in grotesque heads and figures. The north and south sides of the wall are each divided into two openings, which are spanned by arches springing from the massive piers at the ground floor, up to and against the piers resting upon the caps of the center columns, from which the upper span of arches spring, to and against the piers of the various landings. These arches are constructed at an angle conforming to

the angles of the steps, and supporting the same. The vertical faces and soffits are decorated in a similar manner as the arches heretofore described, with the exception of the lower section, in which spandrels are formed, filled in with geometrical tracery.

Resting on the arches, continuing up the steps, and forming the coping over the same, is a molded string course, up the face of which is a deeply recessed and richly carved decoration. This coping and decoration extends along a level with all the platforms, and is divided by the piers at the angles. The coping, up the steps and along the platforms, is surmounted by a beautiful balustrade worked in geometrical figures and foliage ornaments, on which rests a heavy molded hand-rail. \* \* \* This great monumental work is believed to be without parallel on the face of the globe.

**STONE-WORK.**—The following description of the stone-work used on the New Capitol was kindly furnished the editor by Mr. James J. Mitchell, Superintendent of Granite Work. It puts on record facts of abiding interest in the history of this great building that can be found nowhere else. It is the statement of a skillful practical mechanic, who has been on the work from the beginning, given in his own clear language.

I came here October 8, 1870, when the foundation was being built, from Washington, D. C., where I had been employed as a stone-cutter on the United States Capitol and other public buildings. At that time the building was under the management of a commission, of which the Hon. Hamilton Harris was Chairman. The corner-stone was laid June 24, 1871, by the Masonic fraternity. After the laying of the corner-stone, measures were taken to push forward the construction with the greatest rapidity. I worked as a stone-cutter on the building until May 25, 1872, when I was appointed assistant foreman of stone-cutters, which position I held until 1876, when Mr. Reynolds, who had been principal foreman, died. I was appointed his successor. In 1883 I was further promoted to Superintendent of Granite Work by Commissioner Perry.

In my department are employed almost two-thirds of the whole force on the building, the total of which is about eight hundred and fifty men. In my office are two clerks, one messenger and one assistant.

The average number of men employed yearly since 1870, is 1,100. Of the different kinds of stone used in its construction as follows: For foundation, Tribes Hill and Kingston limestone, also Fall River and Saratoga granite, and Potsdam sandstone for bond stone. The basement is flagged with bluestone from Ulster County.

The water table is of Dix Island, Me., granite; the corner-stone, weighing ten tons, is also of this material. It is situated in the northeast corner of the building. It was contemplated at one time to construct the whole building of Dix Island, Me., granite, but it was found to be too expensive.

The next five courses around the entire building are of Yarmouth, Me., granite. It was condemned on account of having been found to contain iron, thereby causing discoloration, which is plainly visible, and is a great eyesore. From the fifth course upward the entire exterior structure is composed of Hallowell white granite, a fine, if not the finest building material in the world.

In the north and south entrances halls, ground floor, the first story of the main tower and corridors, granite from Keene, N. H., is used, not including the arches. In the east and west entrance halls, Hallowell granite, with polished granite columns from Fox Island, Me., is used.

The great columns in the Assembly Chamber are red granite from Stony Creek, Conn., while the bases and capitals are Tuckahoe, Westchester County, marble. The remainder of the Chamber is entirely of Dorchester, Ohio, and Belleville, New Jersey, red sandstone.

In the corridors of the south side we find, in the wainscoting, marble of almost every hue, principally from Lake Champlain. The base-band and cap-courses, also the jambs, are of dark brown-stone from Newark, N. J. On the next two floors above, the same materials are used in the wainscoting. In the room formerly intended for the Court of Appeals are red granite columns and pilasters of great beauty from the Bay of Fundy, Nova Scotia.

The bases, capitals and arches in the Chamber supporting the floors of the Assembly Chamber, are of white marble from Tuckahoe, Westchester County. The wainscoting is of Ohio sandstone and Dorchester sandstone. The carving in the oak panels is of rare beauty.

The stone used in the Governor's Room is Knoxville marble, highly polished and carved. The marble lintel in the fire-place is of exquisite finish, consisting of oak leaves and stems of the most intricate design. The wainscoting and ceiling in this room are of red mahogany.

The Senate Chamber is regarded as one of the most beautiful legislative chambers in the world. The principal material used in this chamber is Knoxville, Tennessee, marble. The red granite columns and pilasters are from Jefferson County, New York. They are surmounted by capitals of extraordinary delicacy and workmanship, of Knoxville, Tennessee, marble. The north and south walls, above the string-course, are lined with Mexican onyx and Sienna marble—the onyx forming the panels, the Sienna, the styles and rails. These materials are the most costly in the market. The great arches are also of Sienna, elaborately carved.

The large mantels in the Senate Chamber are very elaborate, consisting of sculptured cherubs, animals, foliage, etc., in deep relief. They are very massive, and, when finished, will be one of the features of the already gorgeous and costly Chamber.

The lobbies and ante-rooms are finished with Knoxville, Tennessee, marble, as also the Lieutenant-Governor's Room, except the wainscoting, which is of mahogany.

The main corridor on this, the principal floor, and the one above the gallery, are very striking to the visitor, who passes through them before entering the Senate Chamber, where he finds a different style of architecture.

The materials in these corridors are Dorchester and Ohio sandstone, the architect of the latter evidently preferring sandstone, as it seems to be always used where his designs are to be found.

The carving in these corridors, especially in the gallery, is of exquisite design and execution, treated by master hands.

The new Court of Appeals, situated in the southeast corner, is a fine room. The windows are trimmed with Knoxville marble; the wainscoting and ceiling is of oak, elaborately carved; the railing in front of the clerk's desk is a feature. The fire-place is very rich; the materials are Mexican onyx and Sienna marble, and quite unique.

A very beautiful, if not the most beautiful, mantel, so far as material is concerned, is in the Clerk's Room, Court of Appeals. It is of variegated green Lissoughter marble. The other two in the same suite of rooms are of exquisite design and finish, and are composed of Little Island and Middleton B marble.

The wainscoting in the east corridor is different from that of the south corridor. The base-board and cap are of Belgian black marble; the panels from East Tennessee, and Groat (French) marble. Lake Champlain marble is also used.

The northeast staircase is entirely composed of Dorchester sandstone. The style is in harmony with the Assembly Chamber, being very rich in detail.

The southeast staircase, now building, will be a magnificent work when completed. The material used is red Scotch Corsehill sandstone; the columns of Peterhead, Scotch, granite. Fox Island and Quincy granite are also used.

In the Parlor of the Assembly, a beautiful mantel of East Tennessee marble is constructing; also, in the Committee Room of Ways and Means.

The following is a list of the different kinds of stone used in the construction of this building:

Granite: Fall River, Mass.; Saratoga, N. Y.; Dix Island, Me.; Yarmouth, Me.; Hallowell, Me.; Fox Island, Me.; Mount Waldo, Me.; Rockcliffe Island, Me.; Keene, N. H.; Red Stony Creek, Conn.; Red Peterhead (Scotch); St. John's, Bay of Fundy (N. S.); Quincy, Mass.

Marble: Lake Champlain; East Tennessee; German; Virginia, variegated; Knoxville, Tenn.; Sienna; Mexican onyx; Black Belgian; Irish, variegated; Flavrco; Tuckahoe, Westchester County; Pennsylvania dove color; White Italian; Groat, French; Vermont, variegated; Glen Falls, black; Middleton black, Little Island; Lissoughter.

Sandstone: Potsdam and Dorchester, Ohio; Red New Jersey; Red Scotch; Corsehill.

Brownstone: Newark, N. J.

Limestone: Tribes Hill; Kingston.

Bluestone: Ulster County.

Previous to the construction of this building, it was doubted by many architects that granite could

be treated by the workmen in such a delicate manner as the elaborate carving on the different parts of the exterior demanded. The carving on the gallery story of the small towers could scarcely be treated with greater delicacy in any material than it is in the Hallowell granite. The tympanum in the dormers on all sides of the building demonstrate beyond a doubt, that in the hands of skillful workmen there is hardly any kind of ornament which cannot be wrought in this granite.

The dormers on the north, south, and west sides of the central court are, perhaps, the strongest evidence that can be adduced of the delicate treatment and beautiful finish that this granite will bear. The coats of arms sculptured on them took months to complete. Heraldic emblems are, in my judgment, the most difficult ornaments to execute out of granite in order to get the proper effect, as the smallest defect in any part would destroy the whole.

The most skillful mechanics have been gathered to this building. It has been my constant desire to encourage and foster mechanical and artistic talent wherever I found it. To do this, while contending against the importunities of politicians, has indeed been a hard task, and under the circumstances, it is little less than a miracle that the great work has so successfully been prosecuted.

The great gable on the west front is elaborately ornamented. The loggia is one of its principal features. The tympanum is enriched with disks, crossed and roseated, forming a diaper or drapery of extraordinary beauty. Over the string-course, and flanking the arches, stand the Winged Lions of Babylon. Below the spandrels are sculptured in bas-relief the figures of Justitia and Puritas. Surmounting the whole is a massive finial, richly carved in deep relief, and stamping the whole as one of the best pieces of work ever executed out of granite in this or any other country.

#### ISAAC G. PERRY.

To Mr. Isaac G. Perry has been entrusted the work of carrying forward the construction of the finest and most expensive building in this country, and the third most expensive in the world—the New Capitol at Albany. The history of Albany, and of the great structure itself, would be incomplete without a sketch of his career.

Born in Bennington, Vermont, in 1822, Mr. Perry is in his sixty-third year, though his robust frame and strongly-marked features would indicate that he was much younger. Much of his early life was passed at Keeseville, Essex County, New York, where he received his education and acquired a knowledge of the details of that which was to be his life work. After a time he removed to New York City, where he made a success of his occupation, and remained until he was induced to take up his residence in Binghamton, N. Y., where he obtained a wide reputation as a builder and architect.

The most important of his works before the Capitol, was the Binghamton Asylum for the In-

sane, a fine specimen of Elizabethan architecture. Next only in importance was the new Court House at Scranton, Pa., an elegant structure in the mediæval style adapted to modern requirements. Nearly all of the modern built buildings in Binghamton—and they are numerous and beautiful, as well as substantial—are from his designs, as well as many equally attractive ones in other cities.

March 30, 1883, Governor Cleveland appointed Mr. Perry, Commissioner of the Construction of the New Capitol, under the then recently enacted law creating a single Commissioner to have entire charge of the interests which had theretofore been confided to a Board of Commissioners, and his appointment was confirmed on the 5th of April following. The appointment was entirely unsolicited by Mr. Perry, who was chosen as an architect, not as a partisan. He had been a life-long adherent to Democratic principles, but had never thought that his vocation as an architect and a builder had anything to do with his political convictions as a citizen, and he had not made himself known to the country or to the State by any prominence in politics. In an editorial notice of Mr. Perry's appointment, the *Albany Argus* said:

"He has carried to completion many edifices which are attestations of good work, and the history of them shows promptness, harmony and honesty in every stage. He has large numbers of men in his employment, and his record shows that he can command their regard and respect while requiring of them the utmost fidelity and energy. Great enterprises have confided to him enormous tasks, in-

volving the use of large capital, the development of complicated plans, and the necessity of combining thoroughness of work with rapidity of execution. He has in every instance shown marked ability, absolute integrity, exceptional diligence and an intelligent purpose to regard every undertaking as a trust to be discharged with scrupulous observance of economy, impartiality and every other sound business principle."

His appointment was favorably commented upon by the Press of the State, irrespective of party, and his administration of the duties of his office has been such as to more than justify the enthusiastic predictions of his friends. The sterling integrity, good business sense and untiring energy which gained him his previous enviable reputation, have been brought to bear upon the Herculean task which he has undertaken, and in which his mind and his energies are almost wholly asserted; for, as it has been remarked by the *Albany Journal*, "his heart is wrapped up in the Capitol. \* \* \* He appears not to take much interest in politics, and is ready to spend his days and evenings walking about the Capitol, superintending the work, looking over designs and planning improvements."

While the Capitol stands as a monument to the liberality of the people and the enterprise and forethought of the public men of the State of New York, and the artistic and architectural skill of its own designers and builders, the memory of the name of Mr. Perry can never pass away, and he will be known as one of America's greatest architects and builders.

END OF PART I

# HISTORY

OF THE

# CITY OF ALBANY.

EDITED BY PROF. JONATHAN TENNEY, M. A., PH. D.

THAT the boats of Henry Hudson passed up as far as Albany in September, 1609, is conceded; probably a few miles further; enough further, at least, to satisfy the bold navigator that this was not a feasible route to the Pacific Ocean and Eastern Asia. To make settlements and found colonies was not the purpose of Hudson. It is quite likely some of those "very loving people and very old men where we were well used," who "came aboard and brought us ears of Indian Corne, and Pompions and Tabacco," and "Bever Skinnies and Otters Skinnies, which wee bought for Beades, Knives and Hatchets," were primitive Albanians of the Iroquois tribes, who dwelt in castles, pursued their game, and caught their fish along the Hudson.

Traders came later, and carried on, for many years, a lucrative commerce with the native Indians. Still later came settlers and colonists. Of these we have already spoken in the history of Albany County.

We cannot admit the usual claim that Albany was settled by Walloons and Dutch in 1623. There is no settlement without settlers. There are no settlers unless they come to stay. The early traders who came and went with no other purpose than as adventurers or speculators, were not settlers. When colonists came and occupied farms, settlements began. There were none of these before 1630; but very few before about 1638 or 1640. Albany can make no claim to settlement before 1630.

Nor do we admit that Albany has the oldest City Charter of any State in the Union. Truth gives history its real value. Albany was first chartered July 22, 1686. As a city it is nearly two hundred

years old—an age very respectable for this country. But New York was not only settled earlier, as it naturally would be, lying nearly one hundred and fifty miles nearer the ocean; but its city charter is older. Under Stuyvesant, it received a Dutch charter dated February 2, 1657; under Governor Nicolls it received an English charter dated June 12, 1665; and because it had been again a Dutch city in 1673-74, it received another English charter, under Dongan, April 22, 1686. After this, for special reasons, new Royal charters were given New York by Cornbury in 1708, and by Montgomerie in 1730.

The surface of the city as seen by the early settlers, was a narrow alluvial tract along the Hudson, from which the ascent was gradual for nearly a mile, until a plateau about two hundred feet above tide level was reached, extending westwardly in a sandy plain. The slope from the river was divided into four well defined ridges, separated by deep and wide valleys or ravines, which have been so much improved by grading that they add much to the varied beauty of the city, as well as to the facilities for drainage. When the plateau is reached, they now nearly disappear in the densely settled part of the city. Streams formerly coursed through these valleys.

Albany is underlaid by clay, resting on Hudson river shales, and covered by an argillaceous sandy loam, which, on the plains further west, is covered with deep sand. The clay is worked into bricks and pottery, and the sand is used in large quantities for molding and other purposes.

The islands that belong to Albany are two only—the old Kasteel, or Castle Island, which has been called many different names, but is now placed on the maps as Van Rensselaer Island. It is believed to be the place where Corstiaensen landed and where Elkins had charge of a trader's post about 1614; which, on account of freshets, was removed later to a hill further south, near where Kenwood now is.

Jacob Elkins was an aggressive and energetic skipper and trade adventurer. He kept up an active traffic with the wild men of the forest for several years, under the protection of the New Netherlands Company. His scouting parties were

NOTE.—What the writer said in the early pages of this work in relation to the alleged discovery of the Hudson by Verrazzano in 1524, is in accord with his firm convictions. Indeed, if it had been the proper place for discussing a matter so little relevant to the History of Albany County, he would have said more. He, as a historian, has given study and thought to the whole matter, and is convinced that the Verrazzano letter is not genuine, and that the maps and geographical statements printed to confirm the alleged discoveries of this brigand, are absurd in detail, and absolute attempts at historic fraud. To any one who wishes to satisfy a mind unprejudiced, the reading of "The Voyage of Verrazzano," by the late Hon. H. C. Murphy, is commended as the work of a high-minded, impartial and learned historian, who studied the whole matter with unusual opportunities for getting at the truth.

Nor have we any more faith in the tradition of an early French fort upon Castle Island, which has hardly the shadow of probability to support it.



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